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To: Members of the Corporate Overview Committee (Councillors:  
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Malcolm Florey, Chris Gibbings, Graham Godbeer, Pat Graham,  
Ben Ingham, Stephanie Jones, David Key, Bob Peachey,  
Brenda Taylor, Tim Wood, Steve Wragg).

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## **Meeting of the Corporate Overview Committee**

**Thursday 26 March 2009 – 6.30pm**

**Council Chamber, Knowle, Sidmouth**

Members of the public are welcome to attend this meeting.

- A period of 15 minutes has been provided to allow members of the public to raise questions.
- In addition, after a report has been introduced by the relevant Portfolio Holder and/or officer, the Chairman of the Committee will ask if any member of the public would like to speak in respect of the matter and/or ask questions.
- All individual contributions will be limited to a period of 3 minutes – where there is an interest group of objectors or supporters, a spokesperson should be appointed to speak on behalf of group.
- The public is advised that the Chairman has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time.

A hearing loop system will be in operation in the Council Chamber.

**Visitors please note that the doors to the civic suite (meeting rooms) will be opened ¼ hour before the start time of the meeting. Councillors are reminded to bring their key fobs if they wish to access the area prior to that time.**

## **AGENDA**

Page/s

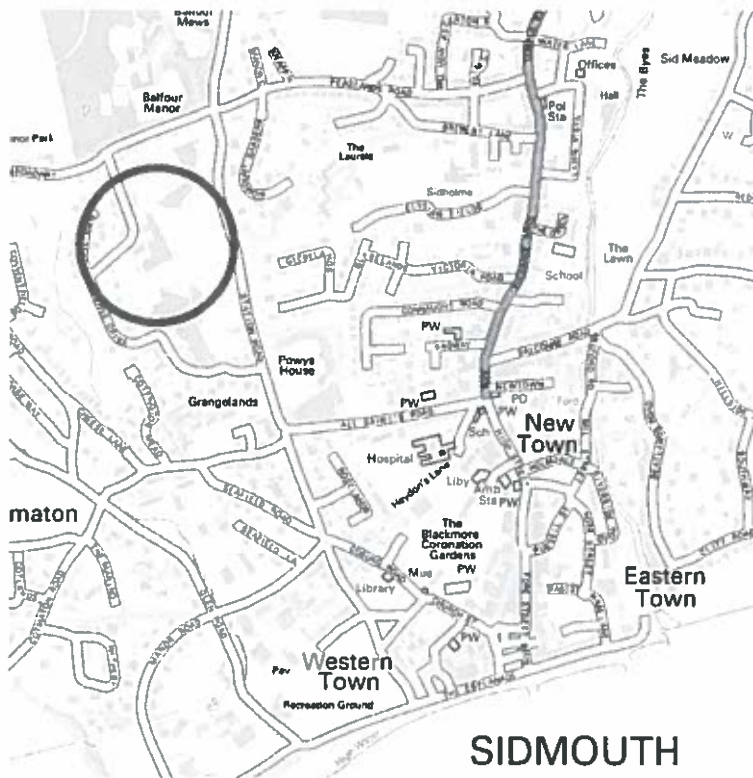
1. **Public question time – standard agenda item (15 minutes)**  
Members of the public are invited to put questions to the Committee through the Chairman.
  - Each individual questioner exercising the right to speak during this public question time is restricted to speaking for a total of 3 minutes.
  - Councillors also have the opportunity to ask questions of the Leader and/or Portfolio Holders during this time slot whilst giving priority at this part of the agenda to members of the public.
  - The Chairman has the right and discretion to control question time to avoid disruption, repetition, and to make best use of the meeting time.
2. To confirm the minutes of the meeting of the Corporate Overview Committee held on 26 February 2009 (previously circulated at the Executive Board meeting of 4 March 2009).

3. To receive any apologies for absence.
4. To consider any items which, in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances.  
  
(Note: such circumstances need to be clearly identified in the minutes; Councillors please notify the Chief Executive in advance of the meeting if you wish to raise a matter under this item. The Chief Executive will then consult with the Chairman).
5. To agree any items to be dealt with after the public (including the press) have been excluded. There are no items that the officers recommend should be dealt with in this way.
6. **Dog Orders** Simon Smale 4 - 24  
  
Simon Smale, Head of Environmental Health & Health Equalities, will give a report on the proposed Dog Orders.
7. **Pitt report on flooding issues** Mark Reilly 25 -54  
  
Mark Reilly, Head of Street Scene Services, will give a report on flooding issues.  
  
Jamie Buckley 55 - 68
8. **Place Survey results**  
  
Jamie Buckley, the Engagement & Funding Officer, will give a presentation on the Place Survey results report on the Draft Community Engagement policy.
9. Members to note that, if required there will be a special meeting on 2 April 2009, to consider the design and enhancement of The Strand, Exmouth.

### **Members remember!**

- You must declare any personal or prejudicial interests in an item whenever it becomes apparent that you have an interest in the business being considered.
- Make sure you say the reason for your interest as this has to be included in the minutes.
- If your interest is prejudicial you must leave the room unless you have obtained a dispensation from the Council's Standards Committee or where Para 12(2) of the Code can be applied. Para 12(2) allows a Member with a prejudicial interest to stay for the purpose of making representations, answering questions or giving evidence relating to the business but only at meetings where the public are also allowed to make representations. If you do remain, you must not exercise decision-making functions or seek to improperly influence the decision; you must leave the meeting room once you have made your representation.
- You also need to declare when you are subject to the party whip before the matter is discussed.

## Getting to the Meeting – for the benefit of visitors



The entrance to the Council Offices is located on Station Road, Sidmouth. **Parking** is limited during normal working hours but normally easily available for evening meetings.

The following **bus service** stops outside the Council Offices on Station Road:  
**From Exmouth, Budleigh, Otterton and Newton Poppleford – 157**

The following buses all terminate at the Triangle in Sidmouth, From the Triangle, walk up Station Road until you reach the Council Offices (approximately ½ mile).  
**From Exeter – 52A, 52B**  
**From Honiton – 340 (Railway Station), 387 (Town Centre)**  
**From Seaton – 52A, 899**  
**From Ottery St Mary – 382, 387**

Please check your local timetable for times.

The Committee Suite has a separate entrance to the main building, located at the end of the visitor and Councillor car park. The rooms are at ground level and easily accessible; there is also a toilet for disabled users.

**For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546**

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## Agenda Item 6

Corporate Overview Committee

26 March 2009

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### Dog Control Orders

#### Summary

Following a consultation period, the public's response to proposals to create dog control orders is reported. There is no clear mandate one way or the other in respect of some proposals whilst in respect of others there has been either clear opposition or no response whatever. The report invites informed debate on the issue and suggests draft recommendations for confirmation of orders based on professional opinion and weight of public opinion.

#### Recommendations

1. The Fouling of Land by Dogs Order, the Dogs on Leads by Direction Order and the Dogs (Specified Maximum) Order be confirmed without variation.
2. The Dogs on Leads Order be confirmed with the deletion of the proposed restrictions for The permissive path from Battishorne Way to Roundhall Wood in Honiton, Woodbury Cricket Field (1 October to 30 April) Land of Canaan in Ottery St Mary and Sidford Playing Field (Byes Lane) in Sidmouth.
3. The Dogs Exclusion Order be confirmed with the deletion of the proposed restrictions for Cliff Field (Chine Gardens) in Seaton, All Hallows' Playing Field in Honiton, Cliff Field in Seaton, Elizabeth Road Playing Field in Seaton and Winter's Lane Playing Field in Ottery St Mary.

#### a) Reasons for Recommendation

The Orders recommended for approval either relate to areas which are subject to existing controls or , where there has been little local opposition to new controls..

The Orders recommended not for approval are where there is significant local opposition. The evidence of need, taking into account the views of dog walkers and other users, is not conclusive. If the respective Town and Parish Councils, having a greater knowledge of local facilities, are satisfied of the need they would be able to make their own Orders in these areas.

#### b) Alternative Options

A decision not to confirm any of the orders will maintain the status quo as described in the previous report to Executive Board in November 2007.

Following consideration of the public's response, Members may make a decision to confirm the orders as proposed and advertised without deletions.

If members wish to introduce variations to the proposed orders as advertised by the addition of new or amended proposals, Town and Parish Councils will need to be re-consulted and the orders will need to be redrafted and readvertised for a further period of public consultation.

Once orders have been confirmed, they will need to be advertised in locally circulating newspapers for a period of at least 14 days prior to commencement.

**c) Risk Considerations**

Any changes we introduce must be considered carefully in terms of their equalities impact. We have both moral and statutory duties not to discriminate against certain groups of people. For example, it is being suggested that some of our proposals will discriminate unfairly against elderly people and women who may be unable safely to access alternative dog walking areas.

**d) Policy and Budgetary Considerations**

Because of the need to adequately describe each area affected accurately, a whole page newspaper advertisement has been necessary along with the need to advertise in more than one newspaper to cover the whole of East Devon, there is an unavoidable cost associated with each statutory press advertisement. The costs associated with any additional signage and enforcement activity can be maintained at existing levels. However, if members feel that additional signage or additional enforcement activity is desirable, there will be a cost implication.

**e) Date for Review of Decision**

30 April 2010

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**1 Main Body of the Report**

- 1.1 A proposal to create Dog Control Orders was considered by Executive Board in November 2007. The detail of that report has not been repeated here and readers may wish to refer to it before proceeding. In essence the report proposed a consolidation of our existing dog controls (currently embodied in various byelaws and statutes) into new Dog Control Orders in line with the Clean Neighbourhoods and Environment Act 2005
- 1.2 East Devon District Council is the primary authority for making Orders and the Town and Parish Council's are secondary authorities. There is clear provision in the Clean Neighbourhoods and Environment Act 2005 for secondary authorities to create their own dog control orders. They can do so provided that the primary authority has not already made an order for that offence on that land. Town and Parish Council's are able to employ persons to enforce dog control orders and issue fixed penalty notices. However, guidance makes it clear that such persons must have successfully completed an approved training course from a training provider recognised by the Secretary of State and that Councillors themselves must not be authorised under this provision.
- 1.3 Following the Executive Board decision a prolonged consultation with all Town and Parish Councils took place throughout most of 2008. A number of changes were made to the orders that had been proposed to Executive Board to reflect the representations made by the Town and Parish Councils.
- 1.4 The revised draft dog control orders (reproduced as Annex A) were advertised in locally circulating newspapers from mid-December 2008 inviting comments from the public. Copies of the draft orders relating to their local area were sent to each Town and Parish Council. In addition, full detailed copies of all the draft orders were made available for inspection at the Knowle and at the offices of Axminster, Colyton, Exmouth, Honiton, Ottery St Mary, Seaton, Sidmouth and Budleigh Salterton Town Councils throughout the consultation period ending on 23 January 2009.
- 1.5 This report presents a summary of the public's response to these draft orders. Predictably some people are happy with the proposed orders whilst others have issues with certain elements. The following identifies and discusses the consultation responses in some detail.



It has been convenient to group the comments around geographical areas because many of the issues raised are specific and local although some representations were of a more general in nature. These more general comments are summarised in the final section of this report. (a folder containing all the comments has been placed in the Members' Area.)

- 1.6 The health risks associated with contact with dog faeces, especially where children are exposed, are often cited as a critical consideration in whether or not dogs should be excluded from certain areas. These mainly relate to the well publicised risk of Toxocariasis following the ingestion of eggs contained in some dog faeces. There are also safety concerns expressed, associating a mix of children and dogs with a fear of dog attacks. Whilst both of these concerns are legitimate, it is important to balance them with the many stated social and health benefits of dog ownership. consequences. It is suggested that the dog exclusions proposed on beaches along with the other areas used primarily or exclusively by young children at play are likely to represent a reasonable balancing of these risks.

## **2. Ottery St Mary**

- 2.1 Two amendments to the original proposed orders, both introduced at the request of Ottery St Mary Town Council have by themselves generated a level of public response greater than the response to everything else proposed in the draft orders taken together. The Town Council submitted evidence of unresolved complaints about dog fouling dating back to 2004 and Councillor David Cox has added his comments supporting the recommendations made by Ottery Town Council. The two proposals in question are:

- To prohibit dogs from Winter's Lane Playing Field in Ottery St Mary
- To require that dogs be kept on leads in the Land of Canaan in Ottery St Mary

### **2.2 Public Response**

- 2.3 Taken together as a single issue by many of the respondents, the proposals for Winter's Lane and The Land of Canaan have been the subject of:

- Two petitions with a total of 125 signatures objecting to both proposals,
- Over two hundred "flyers" prepared by a local pressure group "Ottery Dogs" as a written objection to both proposals and completed with the signatures and addresses of people from Ottery St Mary itself (173), people from elsewhere within East Devon (42) people and from other areas (20).
- Twenty letters of objection
- Twenty five e-mail objections
- Nine letters in support
- Seven e-mails in support
- Detailed report submitted by Ottery Dogs

There has also been considerable media interest in the proposals.

### **3. Reasons for Objection**

- 3.1 The following is a brief summary of the main reasons for objection to the proposals:
- 3.2 Vulnerable women, the elderly and disabled people would have no safe, easily accessible alternative areas in which to exercise their dogs.
- 3.3 There may be a significant environmental impact. Some people have said that their only alternatives would involve them using their cars to reach suitable locations where they could walk their dogs
- 3.4 It has been suggested that there are in fact very few children ever seen using the areas, although others have suggested that this might not be the case if the areas were not so affected by dogs.
- 3.5 A number of dog owners cited their animal's welfare and felt that the proposals failed to meet the exercise needs for their dogs.
- 3.6 Many people felt strongly that the Council should be looking at stepping up education and enforcement activity rather than resorting to banning dogs completely, effectively punishing many responsible dog owners as a consequence of the inconsiderate behaviour of just a few.
- 3.7 Ottery Dogs have stated that there may be a compromise and suggest segregation of an area for dog walkers as an alternative to outright ban or dogs on leads restriction.

### **4. Reasons for support**

- 4.1 Those people who have commented in support of the proposals give the following reasons for their support:
- There are alternative sites for dog walkers and they should seek permission from The Millennium
  - Trust to use their field. This field is in the vicinity of Mill Street.
  - Winter's Lane is a recreational field, not a dog toilet. Most of the dog walkers just stand around and wait for the dogs to do their business; they aren't actually exercising the dogs.
  - Ottery have only these 2 recreational fields for children to play in.
  - "Maybe it isn't used by children because it's known as a dog walking area. Some people or children are intimidated by dogs and some believe that children have been forced to play in the road as the field is overrun by dogs."
  - "Members of Ottery Dogs are a "nuisance", they congregate at 6.30 in the morning, continuing right the way through the day, making a noise; talking, chattering and waking residents in the vicinity of the area."
  - It has been stated that even with the efforts of Ottery Dogs there is still fouling in both areas.
- 4.2 Officers have visited both sites. The land known as Winter's Lane playing field is a small fenced recreation ground in the middle of a residential area. At the time of our visit, the field was being used by a number of dog walkers and it is clear that there are genuinely few alternative locations for dog walkers in the immediate vicinity. The route to the obvious alternative dog walking location, Millennium Green, is indirect and may present a problem for less mobile dog walkers. However, Winter's Lane playing field would also be well suited



to use as an area primarily for children and the request for a dog exclusion order put forward by the Town Council is also sensible. The balancing of the needs of local dog walkers with the desire of the Town Council to set the area aside for children is difficult.

- 4.3 The Land of Canaan is a more formal area where the Town Council has asked for a dogs on leads order.

## **5. Axminster**

- 5.1 The Council's draft orders included: dog exclusions from a number of children's play parks and school fields, Millwey Rise football field, Foxhill Playing Field and the entire grounds of Axe Valley Community College. Dogs on leads orders are proposed for Axminster Cemetery, St Mary's Churchyard, The Old Courthouse Gardens and Loretto Road recreation ground.

- 5.2 43 completed "pro-forma" letters of support, complete with signatures and addresses, have been received from members of Millwey Rise Football Club. They state that they support the proposed ban on Millwey Rise football field.

- 5.3 A resident of Combe Close has expressed concern that the proposed dog ban for Foxhill Playing Field prevents the use of the footpath towards the stile. However, the proposed ban does not affect this path (which I understand was not entirely clear at the outset of the consultation period) and applies only to the playing field, play park and tennis courts. No other representations have been made in respect of this proposal.

- 5.4 A resident of Jeffs' Way is concerned about the proposal to exclude dogs from the grounds of Axe Valley Community College. The representation claims that the absence of a safe footpath adjacent to Stoney Lane makes this an unsafe walking route through to Lyme Road. The alternative route through the college grounds is apparently well used by members of the public including dog walkers and it is suggested that the ban should not be imposed until the allegedly long awaited footpath in Stoney Lane has been installed by this Council. . With the exception of this representation there does not appear to have been any significant opposition to the proposed orders in Axminster.

## **6. Woodbury**

- 6.1 The Council's draft orders included: dog exclusions from the village green play area, Orchard Close recreation ground and a seasonal ban on the cricket field. A dogs on leads order was originally suggested by the Parish Council following consultation for the cricket field "out of season".

- 6.2 There has also been a significant public response to Woodbury Parish Council's proposed amendment to the original orders that dogs should be banned from Woodbury Cricket Field during the summer months and be kept on leads at all other times.

- 6.3 Most respondents felt that the seasonal ban was reasonable but requests have been made for an amendment to the boundary of that ban to permit an area towards the perimeter of the field to be designated for dog walkers throughout the period 1 May to 30 September.

- 6.4 There was also unanimous disagreement among those who responded that the Dogs on Leads proposal for the winter months was unnecessary and Woodbury Parish Council has now made a representation that this element of the order should not be confirmed.

- 6.5 The Parish Council has also requested that the ban starts at the 1 April instead of 1 May.

- 6.6 Some residents in Woodbury have expressed concern that, as a consequence of the proposal, the streets in the village may become "strewn with dog fouling" because there is

no alternative open land in the vicinity of the village. There are many elderly people with dogs in the village and some have no form of transport to go elsewhere.

6.7 There is a lack of dog bins there and they would welcome more enforcement activity by the Council.

6.8 Officers have not been presented with any specific evidence of the need for the cricket field ban other than the fact that most respondents felt that it was a reasonable thing to introduce. The generally held view that the winter restriction was unnecessary has led to that proposal falling away.

## 7. Honiton

7.1 The Council's draft orders included: dog exclusions from a number of children's play parks and more controversially All Hallows and Mountbatten playing fields. Dogs on leads orders are proposed for a public right of way between Battishorne Way and Roundhall Wood including areas passing through the Glen, Millennium Green and The Gissage.

7.2 The public's response to the Honiton Town Council initiated proposal that dogs should be kept on leads on parts of the footpath from Battishorne Way to Roundhall Wood has been considerable.

7.3 It is said that most of the footpath is "out in the country" implying that a "dogs on leads" order is inappropriate. It has been suggested that the permissive path from Battishorne Way to Roundhall Wood doesn't make sense as people could simply walk their dogs outside the designated path area. Comments were made about there being more litter than fouling and that dog walkers are a deterrent to 'would-be louts' in the areas. Again people commented on what they perceived to be a need for more Dog Wardens and for them to work more closely with members of the public. One Honiton resident stated that the Gissage riverside walk has an existing but unenforced "dogs on leads" restriction and he makes the point that further restrictions would need an increase in our workforce to effectively enforce them. One resident suggests that a dogs on leads order would be more appropriate in Glen Farm Crescent.

7.4 Several people have said it would be inappropriate to ban dogs from the whole of All Hallows playing field (a number make the point that it was given to the residents of Honiton (and the public as a whole, not just the Rugby Club). It has been claimed that a number of older people in the area have dogs but no garden of their own and animal welfare issues would arise because of their inability to travel further afield to find alternative locations to exercise their dogs off their leads. The "state" of Allhallows playing field is in part attributed to non dog walking "yobs" leaving chip papers, bottles and cans lying around and any dog fouling problem that is present is attributed to children with dogs who may ignore the animal whilst it defecates. Councillor Ash has made a representation stating her opposition to the proposed ban at Allhallows playing field explaining the importance of the field as one of the few public areas of the town open to all and suggesting an enforcement blitz to target those responsible for allowing their dogs to foul and failing to clear up

7.5 Finally it is also suggested that "leads are not the answer" and irresponsible people are no more likely to comply with this requirement than they are to pick up after their dog whether or not it was off the lead. The Council is asked by several residents in the town to consider other priorities first including addressing allegations of antisocial behaviour and vandalism that spoil the parks including Allhallows and the Glen with "...broken glass, discarded cans, condoms, needles, chewing gum, vomit, litter including wrappers and food waste and human excrement before turning our attention to dog poo!"

7.6 Officers have suggested that there is insufficient evidence to proceed with the dogs on lead order here. The evidence of a need for a ban at Allhallows playing field comes from the Town Council's suggestion that the mess from dog fouling has to be cleared up before

sport is played and the recommendation suggests that in the light of opposition as summarised above, the proposal for a dog ban there should also fall away.

## **8. Seaton**

- 8.1 The Council's draft orders included: dog exclusions from Cliff Field, Seafield Gardens and Festival Gardens, Elizabeth Road playing field, a number of children's play parks and the seasonal beach ban as before. Dogs on leads orders are proposed for West Walk and Tower Hill picnic site.
- 8.2 Residents in Seaton have collectively raised a significant objection to the proposal that Cliff Field (also known as Chine Gardens) should be an area from which dogs are banned. Four petitions including thirty four, twenty five, seventeen and fourteen signatures respectively have been received. This proposal was introduced following consultation with Seaton Town Council. It was however based on a misunderstanding and the area from which Seaton Town Council confirm that they propose that dogs should be banned is actually Cliff Field **Gardens** which is an area set back from the footpaths. The proposal for Cliff Field (Chine Gardens) is therefore withdrawn and a proposal to ban dogs from Cliff Field Gardens must now be advertised in order to proceed. Until then, the existing dog ban under the old byelaws will remain in force at Cliff Field Gardens. One resident emphasises the importance of "picking up" and cites enforcement as critical. She also suggests that the Council should consider setting up a force of "volunteer" dog wardens.
- 8.3 The proposed dog ban for Elizabeth Road playing field was the subject of a number of representations objecting to it. The children's play area within that playing field however is an area from which dogs are currently banned and no objections were raised to that continuing to be the case. Some representations have claimed that few children use this field and without dog walkers using it, it would hardly be used at all. There is some evidence of the area being used by children and at least one resident supports the proposal for this reason. There was also an objection to the proposed ban from Seafield and Festival Gardens but this was joined with an explanation that really related only to the extensive use of the above mentioned "Cliff Field" by dog walkers.
- 8.4 A number of representations have suggested that a more extensive "dogs on leads" restriction should be considered. Some residents suggested the entire promenade alongside the beach at Seaton should have a permanent dogs on leads restriction. One stated that he thought a dog exclusion order applying to west walk and the entire beach during the summer was appropriate but as a minimum, suggested dogs should be kept on leads on west walk and the adjacent beach.
- 8.5 The lack of suitable public open space to exercise dogs in Seaton is an issue for some residents and one representation suggests the council ought to be designating more dog walking zones rather than introducing additional restrictions. Another suggested that any additional restrictions can only deter residents and visitors from using the town and seafront.
- 8.6 One Seaton resident added that one possible way of encouraging the few remaining irresponsible dog walkers to "pick-up" would be a bag dispensing machine colocated with dog waste bins and although this is in place elsewhere in the UK and abroad, there is clearly a cost implication associated with it and may not be cost effective in delivering any improvement. Our experience is that the vast majority of dog walkers do now carry bags and we have noted that even the few offenders who we have caught over the last few years failing to pick up have, when challenged, produced bags and claimed that they either "did not notice" or were "just about to go back and pick up". In addition, if dog walkers come to rely on a dispenser, we may be inadvertently creating a defence if that dispenser is vandalised or simply runs out of bags.

8.9 On balance Officers consider that the opposition to the additional restrictions appears to outweigh the Town Council's desire to see the restrictions in place. No specific evidence has been presented to identify a particular need for the additional bans. Accordingly the recommendations suggest that the dog ban order should not include the restrictions for Cliff Field and Elizabeth Road Playing Field.

## **9. Exmouth**

9.1 The Council's draft orders included: dog exclusions from a number of children's play parks, Withycombe Raleigh Football Field and the seasonal beach ban as before. Dogs on leads orders are proposed for the Pavilion Grounds, Manor Gardens, The Strand Gardens, Carter Avenue Playing Field, Warren View Playing Fields and land at Truro Drive.

9.2 The proposed restrictions in Exmouth have been the subject of only a few representations. An objection has however been submitted in respect of Carter Avenue playing field where a small petition (four signatures) expressed concern about the proposed dogs on leads restriction. Representations suggest that this is an important social meeting place and that this is unnecessary. There are however alternatives in the area, for example Exmouth Football Club is just around the corner and Imperial Recreation Ground is just a short distance away but the question of the need for a ban for Withycombe Raleigh football field or for the other dogs on leads restrictions is clearly a subject that could be debated. In the absence any substantial opposition, the recommendation currently drafted suggests confirmation of the proposed orders without change.

## **10. Sidmouth**

10.1 In Sidmouth there are no specific changes proposed and most of the dog ban and dogs on leads restrictions are simply a redrafting of the original byelaws currently in place.

10.2 There has been a representation objecting to the proposed dogs on leads restriction for Long Park in Arcot Road Sidmouth. It is said to be unnecessary as owners do pick up after their dogs and suggests that other priorities ought to be addressed instead – e.g. litter and so-called “general loutishness” in the area. There is however an existing byelaw restriction but through custom and practice, it appears that has over a number of years now fallen into disuse and would probably not be enforceable. It is therefore a simple matter to redraft this byelaw into an order and commence proper enforcement but the question of the implied need for the order historically here needs to be balanced against the current objection based upon lack of it.

## **11. Sidford**

11.1 Again, mainly a redrafting of existing byelaws but the notable exception is the proposal to require dogs to be kept on leads in Sidford Playing Fields in Byes Lane.

11.2 Our proposed “dogs on leads” restriction for the Sidford Playing Field in Byes Lane has been the subject of a number of representations. It has been suggested that there is “nowhere else to go” in the Sidford area to allow dogs off the lead and many older people are unable to walk further to find alternative exercise areas for their dog. One Sidmouth resident was “angry” and pointed out that dogs kept on leads were more likely to become aggressive. Others cite the importance of social contact whilst dog walking and one Sidmouth resident explained that she had met many holiday makers whilst dog walking and she felt that their frequent visits to the area were closely linked with the ability to walk their dogs “off the lead”.

11.3 There has been a suggestion that the restriction in favour of the “occasional” use of the pitches for sport is wrong when counterbalanced by the much more frequent use of the playing field by dog walkers, the majority of whom are said to be responsible people who do pick up after their dogs. One Sidmouth resident claimed that dog walkers actually pick up



litter from the ground allegedly left there by spectators at football and rugby matches. Another couple from Sidmouth claim that following matches (that only take place on winter weekends anyway) "...the fields tend to be littered with discarded soiled bandages, empty drinks cans, bottles and cartons, confectionary wrappers etc!"

11.4 There have however been a number of complaints about failure to remove dog faeces from this land. The land is used extensively as sports pitches and common sense suggests that the occurrence of the "failing to pick up..." offence by "failing to notice" would be reduced by imposition of this dogs on leads restriction here. It has been suggested that the majority of dog walkers are responsible and that this proposal is punishing that responsible majority and that without extensive surveillance and enforcement, a minority of offenders will disregard this new requirement to keep their dog on a lead in the same way that they now disregard the requirement to pick up after their dog has fouled.

## 12. Sidbury

12.1 No major changes proposed.

12.2 A small number of people have expressed concerns about what they understood to be our proposal to ban dogs from Furzehill playing field in Sidbury. However, these are based on a simple misunderstanding. The proposed ban relates only to the enclosed children's play area and the adjoining playing field is unaffected. These concerns therefore fall away.

## 13. Other representations

13.1 A number of representations have been received from members of the public requesting that the Council consider dog control orders banning dogs from the following locations:

- 'Little Hemphey' – a recreation field in Beer.
- The grounds of the church in Broadhembury
- The Village Hall grounds and the field that lies at the rear in Clyst St Mary.
- Peace Memorial playing fields and play area at Road Green in Colyton.
- Gunfield Gardens at Carlton Hill in Exmouth.

13.3 There have also been requests for additional dogs on leads restrictions to apply to the footpath that runs past The Glen to Millennium Gardens in Honiton, the entire promenade at the beach in Seaton and a general request that all shared footpaths and cycle paths should be Dogs on Leads.

13.4 A representation from the Dogs' Trust states that it supports the principle of dog control orders but finds that East Devon's proposed orders are inconsistent across apparently similar areas. In particular they feel that any restrictions on playing fields are unnecessary, that they will be seen as draconian and unreasonably interfering with dog owners' ability to exercise their dogs "off lead". They recommend rigorous enforcement of dog fouling restrictions as a better alternative.

13.5 Having read through the bundle of representations in some detail the reader may be left with the impression that the Council's proposals are somewhat draconian.

13.6 On the other hand there have been some comments suggesting we could designate parts of our beaches completely free of dogs all year round. There were also comments suggesting that there could there be specific areas designated for dog walkers only. A passionate minority have written in to support all restrictions adding for example how Woodbury Common "...is a mess and it is not pleasant to walk up there anymore". They

point out that most people would like to walk freely without being pestered by dogs or stepping in faeces.

- 13.7 Our proposed orders will ban dogs from just under 100 separate sites in total and restrict dogs to being kept on a lead at around 30 other locations.
- 13.8 Rather than impose any new restrictions, a number of respondents appear to want more dedicated Dog Wardens patrolling areas to either detect and punish offenders or to act as a deterrent. A number of representations have been in favour of more rigorous enforcement and call for additional dog waste bins. Others have expressed an opinion that the Council ought to be spending public money on other priorities and that dog controls, and enforcement thereof, ought to be a much lower priority than the new orders suggest.
- 13.9 The recurring theme in representations seems to be, 'please do not punish the responsible majority because of the irresponsible behaviour of a minority of people who do not adequately control and pick up after their dogs'. It is certainly true that contractors in East Devon collect an average of 3.5 tonnes of dog faeces per week from over 300 dog waste bins, so a great many people are genuinely picking up after their dogs!

### **Legal Implications**

It is important to remind Councillors that any Authority considering Dog Control Orders should only make an Order where it is justified and necessary and proportionate to problems caused by the activities of dogs and those in charge of them.

I draw the Councillors attention to Paragraph 30 of the DEFRA Evidence Ss 55 to 67 of the Clean Neighbourhoods and Environment Act 2005 – Dog Control Orders which states

“The Authority needs to balance the interests of those in charge of dogs against the interests of those affected by the activities of dogs, bearing in mind the need for people, in particular children, to have access to dog-free areas and areas where dogs are kept under strict control, and the need for those in charge of dogs to have access to areas where they can exercise their dogs without undue restrictions. A failure to give due consideration to these factors could make any subsequent Dog Control Orders vulnerable to challenge in the Courts”.

There are concerns that the evidence exists to add new areas to the previous bans and exclusions under the byelaws and Dogs (Fouling of Land) Act 1996 and in particular The Glen, Honiton; Winters Lane, Ottery St Mary; the Cricket field at Woodbury etc. These are areas proposed by the various Town Councils. Councillors should consider whether there is a current significant problem to add them to the general Dog Control order.

### **Financial Implications**

The financial implications are as detailed in the report.

### **Consultation on Reports to the Executive**

#### **Background Papers**

- Clean Neighbourhoods and Environment Act 2005, Report to Executive Board November 2007
- Dog Control Orders Guidance Note, DEFRA

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Andrew Ennis Ext 1583  
Environmental Health Manager

Corporate Overview Committee  
26 March 2009





EAST DEVON DISTRICT COUNCIL

**PUBLIC CONSULTATION**

The Clean Neighbourhoods and Environment Act 2005

The Dog Control (Prescribed Offences and Penalties etc) Regulations 2006

East Devon District Council wishes to consult the general public on the following Dog Control Orders:

**The Dogs Exclusion Order**

**The Offence**

A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land to which this Order applies.

**Dogs on Leads Order**

**The Offence**

A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies he does not keep the dog on a lead, unless-

- (a) he has reasonable excuse for failing to do so
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so

For the purpose of this article a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog

**Dogs on Leads by direction Order**

**The Offence**

In this order an authorised officer of the Authority' means an employee of the Authority or other person, who is authorised in writing by the Authority for the purpose of giving directions under this Order

A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies, he does not comply with a direction given to him by an authorised officer of the Authority to put and keep the dog on a lead, unless –

- 1 (a) he has a reasonable excuse for failing to do so; or  
(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so
- 2 For the purposes of this article –
  - (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog
  - (b) an authorised officer of the Authority may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person [on any land to which this Order applies] or the worrying or disturbance of any animal or bird

### **The Fouling of Land by Dogs Order**

#### **The Offence**

If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless –

- (a) he has a reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so

Nothing in this article applies to a person who –

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (b) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon whom he relies for assistance

For the purposes of this article –

- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- (b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
- (c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces
- (d) each of the following is a 'prescribed charity' –
  - (i) Dogs for the Disabled (registered charity number 700454)
  - (ii) Support Dogs (registered charity number 1088281)
  - (iii) Canine Partners for Independence (registered charity number 803680)

### **The Dogs (Specified Maximum) Order**

#### **The Offence**

On land to which this Order applies, the maximum number of dogs which a person may take onto that land is 6

A person in charge of more than six dogs shall be guilty of an offence if, at any time, he takes onto any land in respect of which this Order applies more than the maximum number of dogs specified above of this Order, unless –

- (a) he has a reasonable excuse for doing so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so

For the purposes of this article a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog

#### **Penalty for each offence**

A person who is guilty of an offence shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale

Schedule of sites for Dog Control Orders (Section 55-67) Clean Neighbourhoods and Environment Act 2005)

**Dog Exclusions**

**Axminster**

Land at First Avenue (to rear of Millwey Rise shops)  
 Millwey Rise play park and football field  
 Bonners Glen play area  
 Foxhill play park and field  
 North Street / Willhays play park and field  
 Lynch Close play area  
 Axe Valley Community College (entire grounds)  
 Axminster County Primary School (entire grounds)  
 St Mary's Catholic Primary School  
 Land at Woodbury Park

**Beer**

Beer beach from a point immediately opposite the south-western most point below Charlies Yard in the east and extending in a westerly direction for 200 metres (from 1 May to 30 September in each year)

Jubilee Memorial Garden play area  
 Ash Hill play area  
 Underleys play park

**Branscombe**

Branscombe play park

**Broadclyst**

Holly Close playground

**Broadhembury**

Broadhembury Primary School entire school grounds

**Budleigh Salterton**

Budleigh Salterton beach from a point immediately opposite Lime Kiln in the east to the outfall opposite South Parade in the west (from 1 may to 30 September in each year)

Greenway Lane play area  
 Lime Kiln skate park and play area

<b><u>Chardstock</u></b>	Chardstock play area
<b><u>Clyst St Lawrence</u></b>	Foretown Estate play area
<b><u>Clyst St Mary</u></b>	Clyst St Mary playground (adjacent to village hall)
<b><u>Dunkeswell</u></b>	Dunkeswell New Century Park Dunkeswell sports field, BMX track and allotments Churchill playground (Old Dunkeswell)
<b><u>Exmouth</u></b>	Exmouth Beach From the most easterly groyne at Maer Rocks in the east to a point opposite the Octagon (from 1 May to 30 September in each year)  Carter Avenue play area Imperial Recreation Ground play area Phear park skate park, BMX area and play park Withycombe Raleigh football field Cherriswood Avenue play area Ashfield Close play area Field at Brixington Lane play area Ivydale play area The Crescent play area (Littleham) West Down Lane play area (Littleham) Durham Close play area Truro Drive play area Keats Close play area Poets Corner play area Brittany Road play area Byron Way play area Betjeman Drive play area St Sevan Way play area St Sevan Way playground
<b><u>Exton</u></b>	Exton play area (opposite The Puffing Billy) Goosefield

<b><u>Feniton</u></b>	The Signals play area Coventry Close play area Ely Close play area
<b><u>Honiton</u></b>	Upland Chase play area Willow Walk play area Biddington Way play area Heron Road playground St Leonard's and St Paul's play areas Jerrard Close play area Millers Way play area Mountbatten playing field Allhallows play area and skate park Allhallows playing field Charles Road play area Pale Gate Close play area Glen Farm play area Dove Close play area Whitebridges play area Cherry Close play area Butts Close play area
<b><u>Newton Poppleford</u></b>	Back Lane play park and playing field
<b><u>Otterton</u></b>	Behind Hayes playground
<b><u>Ottery St Mary</u></b>	Winters Lane play area and playing field Land of Canaan play area
<b><u>Rockbeare</u></b>	Rockbeare playing field and play area Rockbeare Primary School playing field Rockbeare Village Hall grounds Grass verges opposite school entrance (Stoneylands)
<b><u>Seaton</u></b>	Seaton Beach from the boundary of the Parish of Seaton in the east to the end of the sea wall at Castle Hill in the west



including the walkway immediately adjacent to the beach (from 1 May to 30 September in each year)

Cliff Field (Chine Gardens)  
 Seafield and Festival Gardens  
 Seafield Gardens play area  
 Underfleet play area and skate park  
 Meadway play area  
 Elizabeth Road playing field  
 Elizabeth Road play park

**Sidbury**

Furzehill play area

**Sidford**

Byes Lane play park  
 Stowford Rise play area (Andrews Close)

**Sidmouth**

Sidmouth Beach The beach between the foot of the eastern facing access ramp opposite Ham lane in the east to a point at the bottom of Peak Hill opposite The Westcliff Hotel in the west. (from 1 May to 30 September in each year)

Manstone Lane play area and skate park  
 Long Park play area (Arcot Road)

**Uplyme**

King George V playing field (adjacent to Hall)

**Woodbury**

Woodbury Village Green play area  
 Woodbury recreation ground (Orchard Close)  
 Woodbury Cricket field (seasonal ban from 1 May-30 Sept)

**Woodbury Salterton** New Way / Stone Lane play area

**Dogs on leads**

**Axminster**

Axminster cemetery  
 St Mary's churchyard

	The Old Court House Gardens Loretto Road / Cridlake recreation ground
<b><u>Beer</u></b>	Jubilee Memorial Gardens (Sea Hill) Charlie's Yard
<b><u>Branscombe</u></b>	Branscombe playing field
<b><u>Broadclyst</u></b>	Holly Close recreation field
<b><u>Budleigh Salterton</u></b>	Greenway Lane playing field
<b><u>Chardstock</u></b>	Chardstock Community Hall car park
<b><u>Exmouth</u></b>	The Pavilion Grounds Manor Gardens The Strand Gardens Carter Avenue playing field Warren View playing fields Truro Drive land surrounding children's play area
<b><u>Honiton</u></b>	The permissive path from Battishorne Way to Roundhall Wood <ol style="list-style-type: none"> <li>1. From opposite Hawthorn Close to the rear of Millhead Road to Ernsborough Gardens</li> <li>2. Vine Inn Yard / Greyhound Plot / Northcote Lane</li> <li>3. High Street to Queen Street</li> <li>4. End of Chapel Street to St Michael's Day Centre</li> <li>5. Pine Park Road Railway Bridge through Westcott Way / Orchards Way to the roundabout on Kings Road</li> <li>6. Queen Street to Park Pine Railway Bridge through the Glen and Millennium Green into Parsonage Way</li> </ol>

7. Top of Church Hill through Lynch Gate past St Michael and All Angels church into Lower Marlpitts Hill
8. From St Michael and All Angels church through cemetery and into Gardiners Lane
9. From Beech Grove past Hale Farm and into Axminster Road (both paths) and then from Axminster Road to Springfield Road
10. From Hale Farm to Northcote Hill past Perry Hale Nursery
11. From Hale Farm to Hutgate Lane and onto Northcote Hill Farm
12. Lower Marlpitts Hill through golf course and into Farway Common Road
13. Farway Common Road via golf course to Wad Moor lane
14. From Langford Road past Cheneys Farm to Monkton Road
15. The Gissage Riverside Walk at Oaklea
16. Higher Brand Lane at Gardiners Cross to Weatherill Road opposite Buttery Road

**Ottery St Mary**

Land of Canaan

**Seaton**

West Walk

Tower Hill picnic site

**Sidmouth**

The Esplanade

Coburg Lawns

Putting Green and Three Cornered Plot (The Triangle)

Blackmore Gardens

Connaught Gardens

Glen Goyle (Glen Road)

Long park recreation ground

**Sidford**

Sidford playing field (Byes Lane)

**Uplyme**

King George V playing field footpath

**Woodbury**

Woodbury cricket field (1 October to 30 April in each year)

Woodbury Village Green

**Dogs Fouling of Land / Dogs on Leads by Direction /Specified Maximum**

All land open to the air to which the public are entitled or permitted to have access (with or without payment) in the district of East Devon including but not limited to parks, public open spaces and highways in the area outlined and hatched in red on Map 1 to this Order

**Full draft orders together with schedules and plans indicating areas relating to each exclusion or ban are available for inspection at the following places:**

East Devon District Council  
The Knowle  
SIDMOUTH  
EX10 8HL

Axminster Town Council  
The Guildhall  
AXMINSTER  
EX13 5NX

Colyton Town Council  
The Town Hall  
COLYTON  
EX24 6JR

Exmouth Town Council  
The Town Hall  
St Andrew's Road  
EXMOUTH  
EX8 1AW

Honiton Town Council  
Senior Citizens Centre  
New Street  
HONITON  
EX14 1EY

Ottery St Mary Town Council  
Council Offices  
OTTERY ST MARY  
EX11 1DH

Seaton Town Council  
The Town Hall  
Fore Street  
SEATON EX12 2LD

Sidmouth Town Council  
Woolcombe House  
Woolcombe Lane  
SIDMOUTH EX10 9BB

Or at the East Devon website:

[http://www.eastdevon.gov.uk/google/index/your\\_council/policy\\_and\\_performance/legal/byelaws/dog\\_control\\_orders.htm](http://www.eastdevon.gov.uk/google/index/your_council/policy_and_performance/legal/byelaws/dog_control_orders.htm)

Draft copies of the order are available from East Devon District Council on request at the cost of £5.00 or can be downloaded at [www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)

Comments on the proposed orders should be sent by letter to Dog Control Order

Consultation, Environmental Health Service, The Knowle Sidmouth EX10 8HL

or can be sent by e-mail to [environmentalhealth@eastdevon.gov.uk](mailto:environmentalhealth@eastdevon.gov.uk)

The statutory consultation period will close on 23 January 2009.

M R Williams  
Chief Executive





# Agenda Item 7

Corporate Overview

26 March 2009

Mark Reilly



## Consideration of the Implications, to East Devon DC, arising from Recommendations given in "Sir Michael Pitt's Review of the Summer 2007 Floods"

### Summary

Following the exceptional flooding in the summer of 2007, the Government commissioned Sir Michael Pitt to conduct an independent review of the lessons learned. When the report was published it included 92 recommendations, each of which has been supported by Government.

The report and, subsequently, the recommendations followed seven key criteria, namely:-

1. Identification of areas at risk of flooding.
2. Reducing the risk of planning.
3. Rescue and care in an emergency.
4. Maintaining utilities and essential services.
5. Better advice and helping people to protect families and homes.
6. Recovery.
7. Oversight and delivery

These recommendations are addressed to Government, local authorities, local resilience forums, providers of essential services, insurers and others, including the general public. There will be an enhanced role and greater responsibilities for local authority in the future management of local flood risk. This will impact upon current capacity and capabilities to deal with these increased roles and responsibilities.

This report considers the implications to East Devon District Council in light of the recommendations arising from the "Pitt Review".

### Recommendations:

1. **Members are asked to consider the implications of the Pitt review for the role and responsibilities of the District Council in the future management of local flood risk, particularly with respect to financial and work load considerations.**
2. **Members are further requested to consider whether there is a need to invite representatives from the Environment Agency and Devon County Council to a future meeting of the Corporate Overview Committee to understand the steps that are being taken by both organisations to address the recommendations of the Pitt Review.**

**a) Reasons for Recommendation**

The flooding that occurred in East Devon at the end of 2008 highlighted the serious consequences of flooding recognised by the Pitt Report. Residents are still living with the consequences of the flooding and the East Devon Flood Recovery Group is considering many of the issues touched upon by the Pitt Review. Increased partnership working partly as a consequence of the recovery work has further highlighted the need for the District Council to understand the arrangements that being made by both the Environment Agency and Devon County Council to respond to the Pitt Report. There are clear messages that identify new duties and financial consequences, and Members need to understand whether the consequences will have financial or other consequences for the Council.

**b) Alternative Options**

N/A.

**c) Risk Considerations**

The Pitt Report is designed to manage the risks associated with flooding and the key risk at this stage is lack of awareness of the implications for the delivery of the new roles and duties.

**d) Policy and Budgetary Considerations**

Members are being asked to identify potential budgetary implications flowing from the recommendations of the Pitt Review.

**e) Date for Review of Decision**

N/A.

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**Main Body of the Report**

**1.0 Introduction**

- 1.1 There were exceptional floods in the summer of 2007 when the UK witnessed the wettest summer since records began, with extreme levels of rainfall compressed into relatively short periods of time.
- 1.2 The consequences of the floods were enormous. There were 55,000 properties flooded; around 7,000 people were rescued from the flood waters by the emergency services and 13 people died. The country saw the largest loss of essential services since World War II, with almost half a million people without mains water or electricity. Transport networks failed, a dam breach was narrowly averted and emergency facilities were put out of action. The insurance industry expects to pay out over £3 billion – other substantial costs will be met by central Government, local public bodies, businesses and private individuals.
- 1.3 To put the events into a global context, there were over 200 major floods worldwide during 2007, affecting 180 million people. The human cost was more than 8,000 deaths and over £40 billion worth of damage. The floods that devastated England ranked as the most expensive in the world in 2007.
- 1.4 The areas that were particularly badly affected were:-
- a) In June, the focus was on South Yorkshire and Hull.
  - b) In July, it was Gloucestershire, Worcestershire and the Thames Valley.

Many more areas were affected to a lesser but still significant degree.

1.5 The problems did not go away quickly. Tens of thousands of people were rendered homeless, and businesses were put out of action for months on end. Even now thousands of people are still out of their homes over a year after the original events.

## 2.0 The Pitt Review

2.1 A comprehensive appraisal of all aspects of flood risk management in England was undertaken by Sir Michael Pitt and the report of the review into the floods of summer 2007 was published in June 2008.

2.2 In arriving at his conclusions, Sir Michael and his team listened carefully to many views, including from those people whose homes and lives were so badly affected by the floods.

2.3 The review identified six themes covering what people need:

- 1) Knowing when and where it will flood;
- 2) Improved planning and reducing the risk of flooding and its impact;
- 3) Being rescued and cared for in an emergency;
- 4) Maintaining power and water supplies and protecting essential services;
- 5) Better advice and helping people to protect their families and homes; and
- 6) Staying healthy and speeding up recovery.

2.4 Four principles have guided the review and the conclusions that were reached.

- 1) The needs of those individuals and communities who have suffered flooding or are at risk.
- 2) Change will only happen with strong and more effective leadership across the board.
- 3) We must be much clearer about who does what.
- 4) We must be willing to work together and share information.

2.5 The review contains 92 recommendations addressed to the Government, local authorities, Local Resilience Forums, providers of essential services, insurers and others, including the general public.

2.6 The Government supports changes in response to all of the recommendations in the Review and already taken action on a number of the recommendations. Investment required for longer term implementation will be considered as part of the next comprehensive spending review and any net new burdens for local authorities will be fully funded."

2.7 The review therefore sets out a major programme of change, which the Government is committed to making happen. This action plan sets out how:

- The Environment Agency will have new responsibilities for maintaining a strategic overview of all types of flood risk, better modelling and maps of flooding risk including reservoir inundation maps, and a national flooding exercise to test new response arrangements;
- Defra will work with local authorities to support them in taking on a local leadership role, including responsibility for local flood risk management including surface water risk. Net additional costs to local authorities will be fully funded;
- Defra will establish a new joint forecasting and warning centre (run by the Environment Agency and the Met Office) to improve the modelling and warning of flood risk; and
- The UK Search and Rescue Group will help improve arrangements for flood rescue, supported by up to £2 million in new funding.

### **3.0 The Draft Floods and Water Bill**

- 3.1 In response to Sir Michael Pitt's Review there is to be a review of legislation. The Floods and Water Bill will replace existing outdated legislation and tighten up reservoir safety. Defra is aiming to consult on the draft Bill in spring 2009.
- 3.2 It is intended that the draft bill will create a simpler, more effective regime for flood and coastal erosion risk management, and will introduce measures for the improved sustainability of water resources including the avoidance of water scarcity. The main areas the bill will focus on are listed below.
- A joined-up, modern day approach to flood and coastal erosion risk management that takes into account all sources of flooding.
  - Simplified and rationalised funding arrangements that complement the new roles and responsibilities for flood and coastal erosion risk management.
  - Improved and more focused risk management of reservoir safety.
  - Measures to facilitate adaptation, resistance and resilience to the effects of climate change on water resources, particularly on the increasing severity of flood events.
  - Measures to facilitate land management which supports flood and coastal erosion risk management.
- 3.3 It is expected that, under the Agency's overview, Local Authorities will take the lead on the ground. The Government states that they are prepared to back this up by providing authorities with the powers to ensure that responsible organisations and landowners fulfil their obligations; for example by maintaining drains.

### **4.0 The Requirement of Local Government**

- 4.1 The report recommended that local authorities should have a local leadership role for flood risk management. This includes ensuring that flood risk from all sources, including from surface run-off, groundwater and ordinary watercourses, is identified and managed as part of locally agreed work programmes.
- 4.2 This enhanced role for local authorities, leading new local partnerships, will be pivotal to success of the much stronger and more comprehensive approach to flood risk management that the Government wants to achieve following Pitt.
- 4.3 The responses to Pitt's Recommendations 14-20, and 90-91, set out the roles that are recommended that local authorities are to play in future.
- 4.4 Local authorities' responsibilities for flood risk management locally will complement the national strategic overview role that the Environment Agency will have for understanding and assessing risk from all forms of flooding and coastal erosion as well as taking the lead in delivering work to manage risk from coastal erosion and of flooding from main rivers and the sea. The Agency will be there to support local authorities in their new role, and are developing tools and methods for mapping and managing flood risk for the benefit of everyone. The Agency is also enhancing their forecasting and warning capabilities, together with the Met Office, to look at flooding from all sources.
- 4.4 The report makes it clear that success will depend on greater coordination and cooperation between local partners. The Government believes that the aims of improved local flood risk management will be best met if new partnership arrangements are established to bring together county, unitary and district authorities, the Environment Agency, water companies and sewerage undertakers and other players including internal drainage boards to work together to secure effective and consistent management of local flood risk in their areas.



- 4.5 It is important that these partnerships are underpinned by a new duty on all partners to co-operate and share information. The Government expect these organisations to work together to decide the best arrangements for delivery on an area by area basis, taking account of their current roles and capacities. Local authorities working together will have specific responsibilities for effective management of local flood risk from surface water run-off, groundwater and ordinary water courses.
- 4.6 The Government state that it is important that there is clarity about accountability. They have accepted the recommendation from the report that county and unitary authorities should have the leadership role in these partnerships. Government propose they should take responsibility for ensuring that all relevant partners are engaged in developing a local strategy for flood risk management and securing progress in its implementation. They should be responsible for ensuring that effective arrangements are in place and able to answer questions from their public on the decisions made and action taken.
- 4.7 This will build on the leadership role of county and unitary authorities in Local Area Agreements, and will allow them to develop centres of engineering and flood risk expertise alongside their existing highways functions, providing support to other partners and promoting collaboration across the whole area.
- 4.8 Local planning authorities (district and unitary councils) have a key role with their land use planning functions in ensuring that effective Strategic Flood Risk Assessments, as required by Planning Policy Statement 25 (PPS25), guide the location of future development (Recommendation 7). They will also continue to be responsible for the management of ordinary watercourses (as will internal drainage boards where they exist), as part of locally agreed programmes for flood risk management.
- 4.9 The new partnership arrangements will support greater collaboration in flood risk assessment and development of management plans, and sharing of expertise, supporting strategic engagement with the Environment Agency and water and sewerage companies and other stakeholders. The Government will be consulting further on how these new arrangements will work, in particular how they can best build effective partnerships and delivery, and support collaboration in two-tier areas.
- 4.10 All partners are asked to consider and agree how best to work together to manage the different sources of flooding in their area. For instance, county councils might want to develop collaborative arrangements with districts across the county area to support an effective county wide Strategic Flood Risk Assessment. A county council might want to arrange for district councils or Internal Drainage Boards (IDBs) to manage local drainage on their behalf. A county and district might want to work together on an effective surface water management plan for a high risk community. Other councils might want to join forces to manage flood risk across wider boundaries. For example, it might be more effective, organisationally and economically, if adjacent unitary authorities decide to join together (or join up with an adjacent county authority) to manage the risk across a wider area.
- 4.11 As part of their local leadership role, under the proposed legislation, the Government would also want local authorities to agree a strategic approach to managing local flood risk in their areas, and develop work programmes which set out publicly and clearly how and by whom the risks will be managed. This would include working with all parties to establish ownership of drainage systems and watercourses, their condition, and any legal responsibility that attaches to such ownership (Recommendations 15 and 16). To support local authorities in their role Government intend introducing a requirement on all parties to co-operate and share information (Recommendation 17).
- 4.12 In line with recommendation 18, local authorities will have a particular role to play in filling the current gap which exists for managing flood risk from surface water (and groundwater). Surface water management plans (SWMPs) will assess and manage these risks and

guidance on their preparation will shortly be published by Defra. Defra has announced funding for an initial series of 6 SWMPs, with more to follow.

4.13 There are 92 recommendations in the Pitt Review. In sections 4.14 to 4.29, I have given details of those recommendations that may impact upon East Devon DC.

4.14 Recommendations 1 to 6 are aimed at the Government, Met Office and Environment Agency.

These recommendations focus on improvement in the prediction of future extremes of weather and flooding; programmes to help society cope with climate change; and to identify areas at risk of flooding and ensuring that a system of warning is in place.

4.15 Recommendations 7 to 11 are aimed at Planning and Building Regulations associated with flood risk.

**7. There should be a presumption against building in high flood risk areas, in accordance with PPS25, including giving consideration to all sources of flood risk, and ensuring that developers make a full contribution to the costs both of building and maintaining any necessary defences.**

**8. The operation and effectiveness of PPS25 and the Environment Agency's powers to challenge development should be kept under review and strengthened if and when necessary.**

**9. Householders should no longer be able to lay impermeable surfaces as of right on front gardens and the Government should consult on extending this to back gardens and business premises.**

**10. The automatic right to connect surface water drainage of new developments to the sewerage system should be removed.**

**11. Building Regulations should be revised to ensure that all new or refurbished buildings in high flood-risk areas are flood resistant or resilient.**

4.16 Recommendation 12 is aimed at local authorities' abilities to give home improvement grants for protection against flooding.

**12. All local authorities should extend eligibility for home improvement grants and loans to include flood resistance and resilience products for properties in high flood-risk areas.**

4.17 Recommendation 13 is aimed at local authorities discharging their responsibilities under the Civil Contingencies Act 2004 for business continuity

**13. Local authorities, in discharging their responsibilities under the Civil Contingencies Act 2004 to promote business continuity, should encourage the take-up of property flood resistance and resilience by businesses.**

4.18 Recommendation 14 to 20 is aimed at a local authority's roles and responsibilities. The aim is for local Authorities to direct and take a lead for the management of flood risk in their areas.

**14. Local authorities should lead on the management of local flood risk, with the support of the relevant organisations.**

**15. Local authorities should positively tackle local problems of flooding by working with all relevant parties, establishing ownership and legal responsibility.**



16. **Local authorities should collate and map the main flood risk management and drainage assets (over and underground), including a record of their ownership and condition.**
  17. **All relevant organisations should have a duty to share information and cooperate with local authorities and the Environment Agency to facilitate the management of flood risk.**
  18. **Local Surface Water Management Plans, as set out under PPS25 and co-ordinated by local authorities, should provide the basis for managing all local flood risk.**
  19. **Local authorities should assess and, if appropriate, enhance their technical capabilities to deliver a wide range of responsibilities in relation to local flood risk management.**
  20. **The Government should resolve the issue of which organisations should be responsible for the ownership and maintenance of sustainable drainage systems.**
- 4.19 Recommendation 38 is aimed at a local authority's establishing mutual aid from other organisations across the country when responding to flooding incidents.
38. **Local authorities should establish mutual aid agreements in accordance with the guidance currently being prepared by the Local Government Association and the Cabinet Office.**
- 4.20 Recommendations 41 to 49 cover local emergency planning responses at upper tier levels, namely Category 1 responders such as Local Authorities, Police and other emergency services.
41. **Upper tier local authorities should be the lead responders in relation to multi-agency planning for severe weather emergencies at the local level and for triggering multi-agency arrangements in response to severe weather warnings and local impact assessments.**
  42. **Where a Gold Command is established for severe weather events, the police, unless agreed otherwise locally, should convene and lead the multi-agency response.**
  43. **Gold Commands should be established at an early stage on a precautionary basis where there is a risk of serious flooding.**
  44. **Category 1 and 2 responders should assess the effectiveness of their emergency response facilities, including flexible accommodation, IT and communications systems, and undertake any necessary improvement works.**
  45. **The Highways Agency, working through Local Resilience Forums, should further consider the vulnerability of motorways and trunk roads to flooding, the potential for better warnings, strategic road clearance to avoid people becoming stranded and plans to support people who become stranded.**
  46. **The rail industry, working through Local Resilience Forums, should develop plans to provide emergency welfare support to passengers stranded on the rail network.**

47. **The Ministry of Defence should identify a small number of trained Armed Forces personnel who can be deployed to advise Gold Commands on logistics during wide area civil emergencies and, working with Cabinet Office, identify a suitable mechanism for deployment.**
  48. **Central Government crisis machinery should always be activated if significant wide-area and high-impact flooding is expected or occurs.**
  49. **A national flooding exercise should take place at the earliest opportunity in order to test the new arrangements which central Government departments are putting into place to deal with flooding and infrastructure emergencies.**
- 4.21 Recommendations 54 to 56 cover local emergency planning responses at Category 2 responders such as utility providers to maintain power and water supplies and in protecting essential services. This will need to be integrated with the Category 1 responders when responding to a local emergency planning flooding incident.
54. **The Government should extend the duty to undertake business continuity planning to infrastructure operating Category 2 responders to a standard equivalent to BS25999, and that accountability is ensured through an annual benchmarking exercise within each sector.**
  55. **The Government should strengthen and enforce the duty on Category 2 responders to share information on the risks to their infrastructure assets, enabling more effective emergency planning within Local Resilience Forums.**
  56. **The Government should issue clear guidance on expected levels of Category 2 responders' engagement in planning, exercising and response and consider the case for strengthening enforcement arrangements.**
- 4.22 Recommendation 64 is particular to Local Authorities but only one of the recommendations about raising awareness before an emergency. However, Recommendations 66 to 68 would also have an impact on Local Authorities.
64. **Local Resilience Forums should continue to develop plans for door-knocking, co-ordinated by local authorities, to enhance flood warnings before flooding and to provide information and assess welfare needs once flooding has receded.**
  66. **Local authority contact centres should take the lead in dealing with general enquiries from the public during and after major flooding, redirecting calls to other organisations when appropriate.**
  67. **The Cabinet Office should provide advice to ensure that all Local Resilience Forums have effective and linked websites providing public information before, during and after an emergency.**
  68. **Council leaders and chief executives should play a prominent role in public reassurance and advice through the local media during a flooding emergency, as part of a co-ordinated effort overseen by Gold Commanders.**
- 4.23 Recommendations 71 to 74 require Category 1 responders and other organisations that form part of the recovery group to ensure that issues such as Health and wellbeing are taken into consideration as part of the recovery.
- 4.24 Recommendation 76 is particular to Local Authorities but only one of the recommendations about roles and responsibilities during recovery to a flooding event. However, Recommendations 75 and 77 to 80 would also have an impact on Local Authorities.

75. For emergencies spanning more than a single local authority area, Government Offices should ensure coherence and co-ordination, if necessary, between recovery operations.
  76. Local authorities should co-ordinate a systematic programme of community engagement in their area during the recovery phase.
  77. National and local Recovery Co-ordinating Groups should be established from the outset of major emergencies and in due course there should be formal handover from the crisis machinery.
  78. Aims and objectives for the recovery phase should be agreed at the outset by Recovery Coordinating Groups to provide focus and enable orderly transition into mainstream programmes when multi-agency co-ordination of recovery is no longer required.
  79. Government Offices, in conjunction with the Local Government Association, should develop arrangements to provide advice and support from experienced organisations to areas dealing with recovery from severe flooding emergencies.
  80. All central Government guidance should be updated to reflect the new arrangements for recovery and Local Resilience Forums should plan, train and exercise on this basis.
- 4.25 Recommendations 81 to 82 require Local Authorities responsibilities for recording and reporting information on the recovery from a flooding event.
- 4.26 Recommendations 83 to 85 refer to funding for the recovery process. There is an expectation that Local Authorities will cover recovery costs except for the most exceptional flooding events. In these circumstances funding is gained through the "Bellwin Scheme" (A scheme of emergency financial assistance to local authorities). However, to gain funding through this scheme requires the authority to keep meticulous records and information of the emergency event.
83. Local authorities should continue to make arrangements to bear the cost of recovery for all but the most exceptional emergencies, and should revisit their reserves and insurance arrangements in light of last summer's floods.
  84. Central Government should have pre-planned rather than ad-hoc arrangements to contribute towards the financial burden of recovery from the most exceptional emergencies, on a formula basis.
  85. Local Recovery Co-ordination Groups should make early recommendations to elected local authority members about longer-term regeneration and economic development opportunities.
- 4.27 Recommendation 85 requires local authorities to consider regeneration opportunities when returning the affected areas back to normal.
85. Local Recovery Co-ordination Groups should make early recommendations to elected local authority members about longer-term regeneration and economic development opportunities.
- 4.28 Recommendations 90 to 92 require local authorities to scrutinise response to these events at a local level with a view to learning from the event and improving response and recovery when dealing with future events. However, this will be a requirement placed on upper tier authorities (Devon County Council) that they should work with their Oversight and Scrutiny Committees.

90. All upper tier local authorities should establish Oversight and Scrutiny Committees to review work by public sector bodies and essential service providers in order to manage flood risk, underpinned by a legal requirement to co-operate and share information.
91. Each Oversight and Scrutiny Committee should prepare an annual summary of actions taken locally to manage flood risk and implement this Review, and these reports should be public and reviewed by Government Offices and the Environment Agency.
92. Local Resilience Forums should evaluate and share lessons from both the response and recovery phases to inform their planning for future emergencies.

## 5.0 Legislative changes and Guidance

- 5.1 The Government is considering the review of current guidance and new legislation to support the implementation of recommendations of the Pitt Review.

### 5.1.1 Emergency Response and Recovery Guidance

- 5.1.1.1 In relation to recovery, many of the recommendations in the Pitt Report reflect current best practice and have already been reflected in the National Recovery Guidance, which was published by Cabinet Office in October 2007. The review recommends that there should be an agreed framework, including definitions and timescales, for local-central recovery reporting. The Government supports this recommendation and work is underway to develop a reporting framework setting out the information required, and how it might be obtained.

The framework will be developed with other relevant Government departments and the LGA. Consultation on the framework will take place as part of the revision of the Emergency Response and Recovery Guidance, due to take place in early 2009.

### 5.1.2 Development of Oversight and Scrutiny Committees.

- 5.1.2.1 The Government's response to Recommendations 90 and 91 sets out how they believe these arrangements should be monitored and overseen in upper tier local authorities (County and Unitary). Clearly, as local authority functions, they will come under the council's existing overview and scrutiny committee arrangements and councils will wish to consider how scrutiny arrangements can best consider flooding issues.
- 5.1.2.2 To support the overview and scrutiny, the Government shall consider whether other bodies involved in flood risk management should be under an obligation to co-operate and share information with scrutiny committees, in parallel with the obligation to support local authorities under Recommendation 17.
- 5.1.2.3 The Government are also encouraging local authorities to produce annual reports on their actions to manage local flood risk. Consideration will be given to whether such reports should be a statutory duty, and what arrangements might be put in place for the reports being peer reviewed and views fed back.

### 5.1.3 Transfer ownership of existing private sewers and lateral drains

- 5.1.3.1 The Government has also announced the intention to transfer ownership of existing private sewers and lateral drains that drain to public sewers, to the nine statutory Water and Sewerage Companies (WaSCs) operating in England. It is

intended that this will take effect from April 2011. The burden of these responsibilities currently fall primarily on individuals (most of whom have no idea that they might be liable) but local authorities frequently get involved (and incur expenditure) in remediation work, resolving disputes and providing advice.

- 5.1.3.2 The Government will also take action to prevent a new stock of private sewers growing to replace the transferred existing stock, by requiring that in future all new sewers and laterals that connect to the public system should automatically come under the WaSCs.

#### 5.1.4 The Floods and Water Bill (See also 3.0 The Draft Floods and Water Bill)

- 5.1.4.1 The Government will require local authorities to play a significantly greater role in the future management of local flood risk. The draft Floods and Water Bill, which is due to be published in spring 2009 for consultation, will set out the powers and duties that they consider all relevant organisations should have for managing flood and coastal erosion risk.

- 5.1.4.2 It is intended to put in place arrangements that are fit for the 21<sup>st</sup> Century, but which still reflect and respect the roles, responsibilities and capabilities of the organisations currently involved.

- 5.2 Until the drafts of the reviewed of guidance and new legislation to support the implementation of recommendations of the Pitt Review are released, one can only determine the proposed future requirements on local Government from the inference in documents published to date. (See **Background Papers**)

#### 6.0 Finance and LGA response

- 6.1 There are numerous references to finance and funding in the documentation associated with the Pitt Review (See **Background Papers**). The response from the Local Government Agency (LGA) seems to detail the current concerns to "The Government's response to Sir Michael Pitt's review of the summer 2007 floods" (See Appendix 1). Individual consideration of the documentation associated with the Pitt Review gives rise to concerns similar to those identified by the LGA.

- 6.2 In the Letter from the Government to Council Leaders; "Improving Local Leadership for Flood Risk Management" there are the following statements:

**"On funding more generally, Government agrees with Sir Michael that given the significant local private benefits of better flood risk management, local communities should be able – and should be encouraged – to fund local priorities that cannot be afforded by the Exchequer. Our response to Recommendation 24 sets out our intended direction, with county and unitary authorities well-placed to help decide whether local priorities should be funded, and if so, how to raise the necessary sums, subject to normal constraints on excessive council tax increases. Local authorities and communities already have a range of options available to them to supplement national funding for flood and coastal erosion risk management, to help pay for local schemes that do not meet national priorities but would nevertheless deliver significant direct benefits to local communities in terms of property values, insurance availability and in terms of economic and environmental sustainability."**

**"We agree with recommendation 83 that 'local authorities should continue to make arrangements to bear the cost of recovery for all but the most exceptional emergencies, and should revisit their reserves and insurance arrangements in the light of last summer's floods'. The Chartered Institute of Public Finance and Accountancy (CIPFA) have now updated and published their guidance to provide clarity to local authorities on the need to review and assess all financial risks."**



- 6.2 These recommendations (See Recommendation 24 below and Recommendation 83 on page 9 of this report) imply that little or no additional funding will be made available to the District Councils and that additional funding will be limited to upper tier authorities except where there is an exceptional emergency event. Again this implies the Bellwin Scheme.

**24. The Government should develop a scheme which allows and encourages local communities to invest in flood risk management measures.**

- 6.3 In "The Pitt Review", Section 3 "Improved Planning and Reducing the Risk of flooding and its Impact", Chapter 7 "Flood Defence", Page 113, there is the following paragraph 7.39.

"Local authorities can use their own funds to tackle flood risk and many already do. Currently, they receive an allocation from central Government through the Revenue Support Grant, but this is not ring-fenced and authorities do not have to spend it on flood risk. As local authorities move towards a greater leadership role in flood risk management and a better understanding of the level of flood risk in their area, it should become easier for them to prioritise spending on flood risk. Some may choose to follow the example of Gloucestershire County Council in raising additional council tax specifically to manage flood risk"

- 6.4 Referencing the stated paragraph in 6.3 above to "The Government's response to Sir Michael Pitt's review of the summer 2007 floods" one finds the following statements

" Local authorities and communities already have a range of options available to them to supplement national funding for flood and coastal erosion risk management, to help pay for local schemes that do not meet national priorities but nevertheless would deliver significant direct benefits to local communities in terms of property values, insurance availability and terms, and economic and environmental sustainability."

"Such local funding mechanisms include the use of existing local authority well-being powers; Environment Agency regional flood defence committee levies on counties and unitary authorities; and the Business Improvement District model. It could also include increases in council tax precepts (as perused by Gloucestershire County Council, see Pitt Review, page 113) where these are affordable and in the best interest of local communities."

"In addition, the Environment Agency is publishing a new external contributions policy. This sets out the circumstances under which the Environment Agency will routinely expect contributions towards the costs of schemes from direct beneficiaries, such as local businesses and communities. The policy also describes what influence these contributions could have on the scope and timing of the works to be completed."

- 6.5 The inference is that funding for flood defence schemes for local communities will tend to be through council tax precepts and / or levies imposed on the Council Tax by the Environment Agency.
- 6.6 Where there are two tiers of Local Government the ability to raise the levy will be given to the County Council and not the District Council. The authority to raise this levy comes from "The Well Being Power" which was introduced by Government in 2000. The funds raised under this power are not additional to Council Tax. They may form part of the Council Tax increase, and represent funds that are ring fenced and raised for particular schemes which are in the best interest of local communities.

## **7.0 Conclusion**

- 7.1 It is clear that both nationally and globally there has been an increase in flooding events. Whilst it is a matter of debate if these events are cyclic or a consequence of climate change there is a huge impact on communities, business and organisations when a flooding event occurs.

- 7.2 The Pitt Review is a comprehensive appraisal of all aspects of flood risk management in England. The recommendations reached in the report, and approved, by Government will define the roles and increase the responsibilities of Local Government in dealing with all aspects of flood risk management through improved guidance and new legislation.
  - 7.3 Where there is "two tier" local Government (County and District Councils) the lead will be given to the upper tier authority (Devon County Council). There will be a requirement for the lower tier authorities (East Devon DC) to work in partnership with the County through a Local Area Agreement.
  - 7.4 There is no evidence that the current local authority roles and responsibilities will be changed other than being enhanced so that they play a significantly greater role in the future management of local flood risk.
  - 7.5 There will be a requirement on local authorities to ensure that they have the capabilities and capacity to deal with their increased roles and responsibilities in the future management of local flood risk.
  - 7.6 There will be pressure for improved Emergency Planning and Land Drainage Management. There will also be impacts on Planning, Building Control and Environmental Health services. This would require a review of current resources and capacity.
  - 7.7 There will be an impact on local Government finances to meet the expectations of central Government. Additional financial resources from central Government are not evident and there is an inference that funding will need to be found from current funding sources. This is particularly the case for District Councils such as East Devon DC.
  - 7.8 The Government's progress in meeting the recommendations of the Pitt Review is seen to be slow particularly in the areas of delivering new legislation and allocating additional financial resources. (See Appendix 2 article from the Public Servant – March 2009 – "Is it enough to turn the tide?")
  - 7.9 Additional comments from representatives of other council departments, on which this review may impact, can be seen in Appendix 3.
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### **Legal Implications**

This report is consultative since there is not as yet any legislation in place to enforce the provisions of the Pitt report. Some of the planning implications are now in place and will be enforced, as appropriate, but at this point the full legal implications of the report are unclear. The Legal Service will offer assistance, and should be asked to advise on any future Partnership arrangements.

### **Financial Implications**

There will be financial implications but the level of these is unknown at this time. Any significant costs will adversely impact on the Council's already stretched resources.

### **Consultation on Reports to the Executive**

None.

## **Background Papers**

1. Sir Michael Pitt's Report 'LEARNING LESSONS FROM THE 2007 FLOODS' – 25 June 2008.
2. Government Response – Letter to Councils' Leaders – Improving local leadership for flood risk management – Defra – unknown date 2008.
3. The Government's Response to Sir Michael Pitt's Review of the summer 2007 Floods – Defra – December 2008.
4. Local Government Association response to "The Governments Response to Sir Michael Pitt's Review of the summer 2007 Floods" – LGA – January 2009.

## **Appendices**

1. Local Government Association response to "The Governments Response to Sir Michael Pitt's Review of the summer 2007 Floods" – LGA – January 2009.
  2. Article from *Public Servant* publication (March 2009) - "Is It Enough to Turn the Tide?"
  3. Comments from insurance brokers (Peter Mason) on item 4.26.  
Comments from John Collins (Head of Environmental Health) on item 4.16  
Comments from Matthew Dickins (Principal Planning Officer) on items 4.15 & 4.18.
- 

Mark Reilly Ext. 2465/2774  
Head of Street Scene Services

Executive Board  
26 March 2009

Karime Hassan  
Corporate Director  
Ext 2735





**The Rt Hon Hilary Benn MP**  
Secretary of State for  
Environment, Food and Rural Affairs

**The Rt Hon John Healey MP**  
Minister for Local Government

Dear Council Leader

## **IMPROVING LOCAL LEADERSHIP FOR FLOOD RISK MANAGEMENT**

### **Summary**

**This letter draws your attention to the Government response to the Pitt Review of the Summer 2007 floods. In particular it sets out the work we are undertaking to support a new leadership role for local government in local flood risk management. Legislation to underpin this new role, and for those with whom local authorities will need to work closely, is in the pipeline; we intend to consult on a draft Bill next Spring. We are, however, providing funding for local authorities to take action in advance of legislation. This funding will enable those local authorities most at risk of flooding to begin work straight away to build local partnerships, recognising that in doing so there are substantial benefits to be gained from fewer flooding incidents and less severe consequences if flooding does happen.**

**Early action to assess local capabilities, and build local partnerships, would also help ensure that authorities are fully geared up for their new roles. The current planning system provides for local planning to be underpinned by Strategic Flood Risk Assessments; ensuring that effective risk assessments of this kind are in place will provide a strong basis for assessing future priorities and shaping action. In line with the Government's new burdens doctrine, the net additional cost for local authorities (including police and fire authorities) will be fully funded, with additional money being made available on top of the funds for local flood risk already provided within the current three-year local government finance settlement. The transfer of responsibility for private sewers which relates to recommendations in the Pitt Review was announced on Monday 15 December.**

## **Introduction**

The Government's response to Sir Michael Pitt's Independent Review of the Summer 2007 floods was published on 17 December. Please see the webpage: <http://archive.cabinetoffice.gov.uk/pittreview/thepittreview.html>. The Government supports changes in response to all of Sir Michael's recommendations and we have published an action plan for Government, local authorities and others to implement these recommendations. Taken together, these measures will help ensure that as a country we are much better prepared for flooding than we were in Summer 2007, with greatly improved and more comprehensive arrangements in place for flooding before, during and after it happens.

Arrangements are being put in place to monitor delivery of the Action Plan. This will include six-monthly assessments of progress beginning in June 2009; and a new Cabinet Committee on Flooding to drive forward the improvements in flood planning. Sir Michael Pitt and the Local Government Association will be invited to attend meetings of this Committee as appropriate. Sir Michael will also publish his own assessment of progress. The Government has committed to publish for consultation and Pre-Legislative Scrutiny a draft Floods and Water Bill, in Spring 2009, to implement relevant recommendations from the Pitt Review. This will provide a full opportunity for Parliament, and all other interested parties, to comment on the proposals in advance of the final Bill being introduced in a future Legislative Session.

## **Local authority roles in flood risk management**

Sir Michael recommended, and we agree, that local authorities should have a local leadership role for flood risk management. This includes ensuring that flood risk from all sources, including from surface run-off, groundwater and ordinary watercourses, is identified and managed as part of locally agreed work programmes. This enhanced role for local authorities, leading new local partnerships, will be pivotal to success of the much stronger and more comprehensive approach to flood risk management that we want to achieve following Pitt.

The responses to Pitt's Recommendations 14-20, and 90-91, set out the roles that we wish local authorities to play in future. Please see link: <http://www.defra.gov.uk/environ/fcd/floods07.htm>

Local authorities' responsibilities for flood risk management locally will complement the national strategic overview role that the Environment Agency will have for understanding and assessing risk from all forms of flooding and coastal erosion as well as taking the lead in delivering work to manage risk from coastal erosion and of flooding from main rivers and the sea. The Agency will be there to support local authorities in their new role, and are developing tools and methods for mapping and managing flood risk for the benefit of everyone. The Agency is also enhancing their forecasting and warning capabilities, together with the Met Office, to look at flooding from all sources.

Sir Michael makes it clear that success will depend on greater coordination and cooperation between local partners. The Government believes that our aims of improved local flood risk management will be best met if new partnership arrangements are established to bring together county, unitary and district authorities, the Environment Agency, water companies and sewerage undertakers and other players including internal drainage boards to work together to secure effective and consistent management of local flood risk in their areas. It will be

important that these partnerships are underpinned by a new duty on all partners to co-operate and share information. We would expect these organisations to work together to decide the best arrangements for delivery on an area by area basis, taking account of their current roles and capacities. Local authorities working together will have specific responsibilities for effective management of local flood risk from surface water run-off, groundwater and ordinary water courses.

It is important that there is clarity about accountability. We have accepted Sir Michael's recommendation that county and unitary authorities should have the leadership role in these partnerships. We propose they should take responsibility for ensuring that all relevant partners are engaged in developing a local strategy for flood risk management and securing progress in its implementation. They should be responsible for ensuring that effective arrangements are in place and able to answer questions from their public on the decisions made and action taken. This will build on the leadership role of county and unitary authorities in Local Area Agreements, and will allow them to develop centres of engineering and flood risk expertise alongside their existing highways functions, providing support to other partners and promoting collaboration across the whole area.

Local planning authorities (district and unitary councils) have a key role with their land use planning functions in ensuring that effective Strategic Flood Risk Assessments, as required by Planning Policy Statement 25 (PPS25), guide the location of future development (Recommendation 7). They will also continue to be responsible for the management of ordinary watercourses (as will internal drainage boards where they exist), as part of locally agreed programmes for flood risk management.

The new partnership arrangements will support greater collaboration in flood risk assessment and development of management plans, and sharing of expertise, supporting strategic engagement with the Environment Agency and water and sewerage companies and other stakeholders. We will be consulting further on how these new arrangements will work, in particular how we can best build effective partnerships and delivery, and support collaboration in two-tier areas.

It is important to stress that we do not wish to impose a "one-size-fits-all" approach to the way partnerships are developed and managed. All partners are asked to consider and agree how best to work together to manage the different sources of flooding in their area. For instance, county councils might want to develop collaborative arrangements with districts across the county area to support an effective county wide Strategic Flood Risk Assessment. A county council might want to arrange for district councils or IDBs to manage local drainage on their behalf. A county and district might want to work together on an effective surface water management plan for a high risk community. Other councils might want to join forces to manage flood risk across wider boundaries. For example, it might be more effective, organisationally and economically, if adjacent unitary authorities decide to join together (or join up with an adjacent county authority) to manage the risk across a wider area.

As part of their local leadership role, under the proposed legislation, we would also want local authorities to agree a strategic approach to managing local flood risk in their areas, and develop work programmes which set out publicly and clearly how and by whom the risks will be managed. This would include working with all parties to establish ownership of drainage systems and watercourses, their condition, and any legal responsibility that attaches to such ownership (Recommendations 15 and 16). To support local authorities in their role we intend introducing a requirement on all parties to co-operate and share information (Recommendation 17).

In line with recommendation 18, local authorities will have a particular role to play in filling the current gap which exists for managing flood risk from surface water (and groundwater). Surface water management plans (SWMPs) will assess and manage these risks and guidance on their preparation will shortly be published by Defra. Defra has announced funding for an initial series of 6 SWMPs, with more to follow.

Clear arrangements should be put in place to encourage the development, implementation and future maintenance of sustainable drainage systems (SUDS) in public areas (in line with Recommendation 20). While we propose that county and unitary authorities should take formal responsibility for adopting such SUDS, they could use normal delegation arrangements to agree appropriate funding and maintenance with other bodies. Further discussions with stakeholders are taking place on these issues in advance of the draft Floods and Water Bill.

On funding more generally, Government agrees with Sir Michael that given the significant local private benefits of better flood risk management, local communities should be able – and should be encouraged – to fund local priorities that cannot be afforded by the Exchequer. Our response to Recommendation 24 sets out our intended direction, with county and unitary authorities well-placed to help decide whether local priorities should be funded, and if so, how to raise the necessary sums, subject to normal constraints on excessive council tax increases. Local authorities and communities already have a range of options available to them to supplement national funding for flood and coastal erosion risk management, to help pay for local schemes that do not meet national priorities but would nevertheless deliver significant direct benefits to local communities in terms of property values, insurance availability and in terms of economic and environmental sustainability.

## **Recovery**

In relation to recovery, many of the recommendations in the Pitt Report reflect current best practice and have already been reflected in the National Recovery Guidance, which was published by Cabinet Office in October 2007. In Recommendation 81, Sir Michael recommends that there should be an agreed framework, including definitions and timescales, for local-central recovery reporting. The Government supports this recommendation and work is underway to develop a reporting framework setting out the information required, and how it might be obtained. We recognise that reporting requirements will need to be flexible, to enable additional information to be collected depending on the particular nature of the incident and operational needs, particularly at the local level. The framework will be developed with other relevant government departments and the LGA. Consultation on the framework will take place as part of the revision of the Emergency Response and Recovery Guidance, due to take place in early 2009.

We agree with recommendation 83 that *'local authorities should continue to make arrangements to bear the cost of recovery for all but the most exceptional emergencies, and should revisit their reserves and insurance arrangements in the light of last summer's floods'*. The Chartered Institute of Public Finance and Accountancy (CIPFA) have now updated and published their guidance to provide clarity to local authorities on the need to review and assess all financial risks.

## **Oversight**



The Government's response to Recommendations 90 and 91 set out how we believe these arrangements should be monitored and overseen. Clearly, as local authority functions, they will come under the council's existing overview and scrutiny committee arrangements and councils will wish to consider how scrutiny arrangements can best consider flooding issues. This may involve establishing a separate scrutiny committee or integration into existing scrutiny structures as appropriate. To support the overview and scrutiny, we shall consider whether other bodies involved in flood risk management should be under an obligation to co-operate and share information with scrutiny committees, in parallel with the obligation to support local authorities under Recommendation 17. We are also encouraging local authorities to produce annual reports on their actions to manage local flood risk. We will consider whether such reports should be a statutory duty, and what arrangements might be put in place for the reports being peer reviewed and views fed back.

### **Transfer of responsibility for private sewers to water companies**

The Government has also announced the intention to transfer ownership of existing private sewers and lateral drains that drain to public sewers, to the nine statutory Water and Sewerage Companies (WaSCs) operating in England. We intend that this will take effect from April 2011. The burden of these responsibilities currently fall primarily on individuals (most of whom have no idea that they might be liable) but local authorities frequently get involved (and incur expenditure) in remediation work, resolving disputes and providing advice. Local authorities (and others, including the Association of British Insurers) have strongly supported this transfer in the consultations to date. We will also take action to prevent a new stock of private sewers growing to replace the transferred existing stock, by requiring that in future all new sewers and laterals that connect to the public system should automatically come under the WaSCs.

### **Floods and Water Bill**

As summarised in this letter and in the more detailed response to the Pitt Review, we wish local authorities to play a significantly greater role in the future management of local flood risk. The draft Floods and Water Bill, which we will publish next Spring for consultation, will set out the powers and duties that we consider all relevant organisations should have for managing flood and coastal erosion risk. We want to put in place arrangements that are fit for the 21<sup>st</sup> Century, but which still reflect and respect the roles, responsibilities and capabilities of the organisations currently involved.

Publication of the draft Bill will allow Parliament, and the wider public, to consider and comment on the proposals. We will consider all comments in developing the final Bill for introduction to Parliament; timing of the Bill will depend on the Parliamentary timetable. As with the non-legislative actions arising out of the Pitt Review, these new statutory functions will be fully and properly funded to ensure there is no additional pressure on council taxpayers.

### **Funding for the new local leadership role**

Local authorities are already funded to manage local flood and coastal erosion risk. In addition to historically high levels of spend, the local government settlement for the current spending review period foresaw the need for local authorities to spend increasing amounts in this area. Local authorities also stand to save financially from taking a proactive stance on local flood

risk, through fewer flooding incidents and bearing less severe consequences. The expected savings in insurance premiums and local authority response and recovery costs can be reinvested in further reducing the risk of local flooding.

But the scale and importance of the new role is such that further funds are to be made available to local authorities. As mentioned above, an initial 6 local authorities are to receive funding to prepare surface water management plans straight away. A further exercise of this kind amongst the highest priority areas will be run in 2009/10, with the aim of bringing the total number of local authorities with surface water management plans to at least 50 by the end of 2010. Once SWMPs are in place, local authorities will be invited over the current spending period to bid for additional funds to take forward priority actions within SWMPs, and to help support other local authority capital costs in taking forward the Pitt recommendations. An additional £15m in total will be delivered to local authorities between now and March 2011.

From April 2011, local authorities are expected to benefit substantially from savings arising from the transfer of private sewers to the WaSCs referred to above. Local authority expenditure released by the transfer, together with savings from better local flood risk management and the increased baseline in local floods spend available within the formula-based grant, is expected to contribute significantly to the additional activities that local authorities will be required to perform. As the Floods and Water Bill progresses, Government will keep under review the new burdens being implied by the Bill for local authorities and will ensure that the net additional cost remains fully funded.

### Next steps

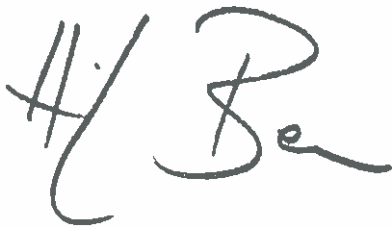
**Flooding is an ever-present risk; and, with climate change, a growing one. The Government therefore considers that appropriate action must be taken without waiting for the Floods and Water Bill.** Specifically we are increasing funding in the current spending review period (to 2010/11) for local authorities to take action in accordance with the future roles and responsibilities as set out in this letter and the more detailed response to the Pitt Review. This includes councils:

- assessing and building your technical capacity (in line with Recommendation 19);
- starting to build the partnerships with all relevant local bodies;
- ensuring that effective Strategic Flood Risk Assessments are in place as required by PPS25;
- setting in place arrangements for understanding and managing local flood risk from all sources; and
- developing Surface Water Management Plans in high priority areas where funding is available

The Environment Agency will provide support to councils and will be one of the key partners with whom you will want to engage. We will also be writing separately to internal drainage boards, water companies and the Highways Agency to ask them to support you in this work.

In April 2009 we will be asking county and unitary authorities about the approach they intend to take; whether they have been able to make progress with partners; whether there are any barriers to progress that they need help in overcoming; and whether they are getting the necessary support from other partners in advance of the proposed powers and duties that we aim to introduce through the Floods and Water Bill.

We are copying this letter to your council's Chief Executive and to Chairs of the local Fire and Police Authorities.

A handwritten signature in black ink, appearing to read 'H. Benn', written in a cursive style.

**HILARY BENN**

A handwritten signature in black ink, appearing to read 'J. Healey', written in a cursive style with a horizontal line underneath.

**JOHN HEALEY**







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Environment Board

Item 3

14 January 2009

**THE GOVERNMENT'S RESPONSE TO SIR MICHAEL PITT'S REVIEW OF THE SUMMER 2007 FLOODS**

**Summary**

1. This paper sets out a proposed way forward following the publication of the Government's response and action plan on the Pitt Review. Generally, we would welcome the Government's acceptance of most of the Pitt recommendations and also progress that has already been made on some of these by Government, EA and the Met Office. Our main specific concerns are about the inadequacy of the Government's proposals on funding and ensuring the proposed Floods Bill gives councils the powers they need and does not tie them up in red tape. But we also need energetic action to maintain flooding as a major national political priority.

**Recommendations**

Councillors are invited to:

1. Agree that our campaigning and lobbying priorities should be:
  - (i) ensuring the need to tackle flood risk is maintained at a strong level in all national parties' agendas
  - (ii) securing adequate funding for councils' additional responsibilities and for long term investment in flood prevention
  - (iii) ensuring the proposed new legislation gives councils the powers and leverage over other players they need without unnecessary prescription about local mechanisms
2. Agree a programme of campaigning and lobbying activity as set out in paragraph 13, centred around a major conference on 29 April
3. Note IDeA's proposal to develop a support package for councils



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**Actions Required:**

1. Campaigning and lobbying programme to be taken forward by the Board and officers
2. IDeA, in partnership with RIEPS, to develop and provide a package of support

**Action by:**

IDeA and LGA Officers

Contact Officer: Vanessa Goodchild- Bradley  
Phone No: 020 7664 3291  
Email: [vanessa.goodchildbradley@lga.gov.uk](mailto:vanessa.goodchildbradley@lga.gov.uk)



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**Background**

2. Following the extensive flooding in summer 2007, the Government commissioned Sir Michael Pitt to conduct an independent review of the lessons learned. His report was published on 25 June 2008 ([http://archive.cabinetoffice.gov.uk/pittreview/thepittreview/final\\_report.html](http://archive.cabinetoffice.gov.uk/pittreview/thepittreview/final_report.html))
3. Since then, Defra and CLG have been preparing a Government response and action plan. Officers and advisers have been engaging closely with Defra throughout this phase, and Cllr Bettison met the Minister then responsible, Jane Kennedy, on 26 November. On 28 November, responsibility for flood risk management was transferred in an internal Defra reshuffle to Huw Irranca-Davies.
4. We held an extremely well attended conference on 18 November, addressed by Sir Michael Pitt, Cllr Haines and Defra's senior official. In October and early November, LGAAR carried out a survey of councils on various aspects of flood risk management. The report, which will be finalised soon, contains a lot of very useful findings, including that:
  - 60% do not have sufficient funds to fulfil their flood risk responsibilities
  - Around a quarter have had difficulty recruiting and retaining technical staff
  - 55% do not have partnership arrangements with water companies to combat flooding

**Government response and action plan**

5. The Government's response and action plan was published on 17 December: (<http://www.defra.gov.uk/environ/fcd/floods07.htm>). It consists of a narrative introduction, a table on funding (page 23) and a detailed response to each of the Review's 92 recommendations.
6. Before the publication, Cllr Bettison wrote to all Leaders. This letter, and our immediate press response and briefing, are attached at Annex A.

**Assessment**

*Attention and priority*

7. There has been local flooding over the last year, but no actual occurrence on the scale of the two episodes in summer 2007, though the east coast only narrowly avoided serious consequences from a significant coastal surge in November 2007. Perhaps because of this, media and political attention has waned significantly. The corporate priority government attached to flood risk management in the immediate aftermath of summer 2007 was shown by locating the Pitt Review team in the Cabinet Office. But the response and



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action plan has been drawn up by Defra, with input from CLG and other departments. It received only limited media attention.

*Local leadership role*

8. We are concerned that commitment to the legislation needed to give councils a clear leadership role and require co-operation from other players, notably the private utilities, may be waning. The Government is committed only to publishing a draft Bill in the current Parliamentary session. It cannot therefore be introduced before end 2009 at the earliest, and there is no commitment on its timing, and it is easy to see how it could end up being postponed, depending on the timing of the next election and what may appear to be more urgent priorities after that.
9. LGA had argued strongly for the clear local leadership role for councils recommended in the Pitt Review. We have, however, been concerned, during the process of drawing up the Government response and action plan, about two risks:
  - That councils would be given responsibility but not power over other local players, notably the private utilities and the Environment Agency (it would make sense for councils to work more closely with all local partners, particularly water companies, including commissioning work by Internal Drainage Boards and indeed EA).
  - That Defra would seek to prescribe in far too much detail on how councils should exercise their responsibilities, in particular rigidly defining the roles of counties and districts in two-tier areas in a way which would stop councils going with the grain of local expertise and leadership.
10. In the published response, Defra have to a very considerable extent responded to our lobbying on this point. They are not, for example, seeking to prescribe how councils set up scrutiny arrangements on flood risk management. They are acknowledging that both districts and counties have important responsibilities for flood risk management and arrangements in local areas should work with the grain of local expertise and leadership. However, the response says that the legislation will give counties a statutory leadership role in two tier areas, as against our preference for giving the leadership role jointly to counties and districts. It is essential that there is genuine partnership across different tiers. We will need to consult with member councils about how strongly they feel we should continue to press on this point. The Government's Action Plan proposes that councils begin to implement partnership arrangements ahead of any new legislation.



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11. Whilst the Environment Agency is demonstrating a clearer recognition of the significance of local government and engaging with stakeholders, we do feel that further effort is needed on Defra's attitude and approach to the council role. While the excellent work of Gloucestershire and Leeds Councils are acknowledged in the introduction, the response and action plan generally does not give enough credit either for the quality of the response by councils affected to the 2007 floods, nor the widespread commitment and activity going on in the sector to improve risk management and preparedness. The language of parts of the response is very much in the mode of the top-down approach Government says it is trying to move away from in its relationship with councils.

*Funding*

12. Our perception of a waning of attention and priority is doubtless one reason for our most significant disappointment with the Government response, its very limited commitment of the additional resources needed to improve flood risk management:
- The response does not clarify what 'fully funded' really means in relation to new burdens. The LGA are currently proposing to CLG that we improve the new burdens procedure, by, firstly, including an independent element and, secondly, incorporating an automatic retrospective review mechanism, facilitated and mediated by an independent body, to help secure agreement on whether the funding provided is adequate and is going to the right places. We see this as an improvement on the current New Burdens arrangements. At present, the Government has little information to judge whether its new policies have been effectively implemented, and whether the extra costs provide value for money.
  - There is no commitment of additional capital resources for investment in flood prevention beyond existing plans. The PBR brought forward only £15m of this spending, much less proportionately than the bring-forward of public capital spend it announced on other areas, like housing. A 'Long Term Investment Strategy' is promised for spring 2009.
  - The Government has provided only £15m of new money for the local authority leadership role, and only in the 50 highest priority LAA areas (£300,000 each for them and nothing for the remaining 100). The plan indicates significant new responsibilities for councils, including the production of Surface Water Management Plans, the maintenance of Sustainable Urban Drainage Systems ('SUDs'), and the need to increase the availability of technical expertise. There is no indication of adequate funding for this ahead of the proposed legislation, though the Government is expecting councils to act earlier (as indeed they themselves would wish).
  - The Government has allocated just £5m to fund the review's recommendation that grant funding should be more widely available to fund work by home owners on the resilience of their properties. This is





*Local Government Association*

equivalent to just 17p for each residential dwelling in England, and councils will have to bid to the Environment Agency for it

- While the Government says it 'accepts in part' the review recommendation that there should be 'pre-planned rather than ad hoc arrangements to contribute towards the financial burden of recovery from the most exceptional emergencies, on a formula basis', it merely says that 'in the event of an exceptional emergency, individual departments (Department for Communities and Local Government, Department for Transport, Defra and Department for Children, Schools and Families), will consider providing financial support for various aspects of the recovery effort.' This response does not actually implement (even in part) the recommendation for pre-planned arrangements and therefore does not provide any additional security for recovery funding.

**Campaigning and Lobbying: Proposed Next Steps**

13. In the light of our concern about funding and the timetable for legislation, we suggest we need to step up our advocacy yet further, in particular targeting the underlying issue of waning political and media attention. We propose to do this by:
  - Making flooding, as the most obvious climate risk issue, a core element of our *Small Change Big Difference* campaign over the next few months. Our climate change conference on 21/22 January, and flood conference on 29 April, are two obvious anchors for this. The survey we have conducted will be a very good foundation for media and lobbying work
  - Further engagement with the Government. We propose that the LGA and Board Chairs should seek a meeting with Hilary Benn, as responsible Secretary of State, and John Healey, to press our case on resources in particular
  - Building the evidence base for the support that local authorities will need to effectively take on the lead role for local flood risk. An LGA/Defra survey on local authorities capability on Flood Risk Management attracted responses from 257 authorities – results are now available on the LGA website. Follow-up workshops are taking place in Sheffield and London in January. LGA could commission LGAAR to undertake further analysis of the challenges facing authorities and support required based on the survey, workshops and communication with member authorities.
  - Pursuing our concerns about recovery funding as part of wider lobbying of CLG and Treasury on the Bellwin scheme and unexpected disruption to council income and expenditure
  - Developing a proposal to use the review of the Civil Contingencies Act to give councils some extra powers in advance of a draft Floods Bill.



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- Engagement with opposition front benches. Cllr Bettison has already met once with Lord Taylor, the Conservative Lords spokesman. We need to extend this to both parties' Commons and Lords teams
  - Encouraging the EFRA Select Committee to take up the Review's recommendation that they conduct an inquiry into flood risk management. Officers should hold exploratory discussions with the Committee's officer team, which should be followed up as necessary through discussion between the LGA or Board Chair and the Committee chair Michael Jack MP
  - Other work to encourage more attention at Westminster, which could include encouraging Member councils to write to local MPs, and using Vice Presidents and other friendly Parliamentarians to ask PQs.
14. Board Members' views on these tactics, and any steps they may be able to take personally, will be extremely welcome. We would reiterate previous points made by Board members that it is essential that able councillors are appointed to sit on Regional Flood Defence Committees and Internal Drainage Boards.

**Sector leadership**

15. Our position at national level will be the stronger for clear commitment by the LGA Group to keeping flood risk management at the forefront of the attention of council political and officer leadership, and offering practical support and advice. Our conferences and sector communication we can build off the back of them are one good vehicle for this.
16. IDoA has also committed £40,000 of funding in 2009/10 for developing a support package for councils in improving their response to flood risk management. This will build on work in this financial year which includes development of a best practice resource on the IDeA website, including case studies and a checklist of what councils can and should already be doing. The funding in 09/10 will be used to lever in support from RIEPS and other partners, in particular to help councils tackle priority issues that were highlighted in the recent LGA survey. It is important that councils' existing capacity to deal with flood risk is maximised. In order to do this, the IDeA is planning:
- a facilitated network of practitioners, supported by an on-line community of practice
  - a specific resource for developing council leadership, such as through the Leadership Academy or other similar opportunity for lead councillors/ portfolio holders.





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#### **Financial Implications**

17. Some aspects of the action plan apply to Wales as well as England, not least because the Environment Agency's role covers both countries. We are discussing with WLGA how to work together on the next phase.

#### **Implications for Wales**

18. The financial issues for member councils are covered above at paragraph 7. Work by the LGA Group on the next phase will be provided within existing resources, with additional funding by IDoA for the support package (paragraph 15 above).

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## Agenda Item 8

Corporate Overview Committee

26 March 2009

PS08/09



### Place Survey

#### Summary

The Place Survey was sent out by the Council on behalf of national government to a random selection of households in East Devon between September and December 2008. The purpose was to gain information that would improve outcomes for local people and places, so many of the questions are more relevant to East Devon as a place rather than East Devon District Council specifically.

We now have the headline results for this survey, although we do not have comparison information as yet from other district authority areas so the results are not in context. When this information is released by the Audit Commission it will be reported to the Committee.

The Council and the East Devon Local Strategic Partnership must use the results of the survey to improve outcomes for local people and places.

#### Recommendation

**That Committee consider the results of the Place Survey in relation to the Council's current practice and policy, and make recommendations about the areas of the results both the Committee and the Scrutiny Committee should consider in more detail**

#### a) Reasons for Recommendation

The Place Survey is a very important Government survey, carried out by every local authority in England. The Department for Communities and Local Government (CLG) expect that the results will be used by all local public service providers, including EDDC, to understand the area they serve. They expect action to be taken on any issues arising in the results of the survey, including residents' priorities for the area, in particular any poor results. It is very important that these follow up actions are completed for the benefit of residents and the Council's reputation, and also for CAA and the developing Engagement and Empowerment Agenda.

#### b) Alternative Options

None

#### c) Risk Considerations

It is expected that the Council will consider and act upon the results and doing so will avoid the Council being criticised in a future inspection and prevent any compromising of the Council's reputation and budgets.

#### d) Policy and Budgetary Considerations

The recommendation involves considering the results in relation to current practice and policy. There could be subsequent policy changes and there are no immediate budgetary implications.

**e) Date for Review of Decision**

Comparisons with the results of other councils will be reported to the Committee as soon as they are available.

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## **1 Main Body of the Report**

### **1. Place Survey**

The Place Survey involves the use of a questionnaire to capture residents' views, experiences and perceptions, so that public bodies can use the results to decide upon their priorities and solutions for their area.

### **2. History**

In 2000/ 2001, 2003/ 2004 and 2006/ 2007 local authorities sent out a General User Satisfaction Questionnaire on behalf of national Government. This asked a variety of questions with a focus on residents' experiences of local services.

The Department for Communities and Local Government (CLG) revised the General User Satisfaction Survey and replaced it with the 'Place Survey' which focuses on improving outcomes for local people and places, rather than on processes, institutions and inputs. However, some of the questions have remained the same, allowing for trend data to be reported.

### **3. What we did**

The survey was carried out in line with government rules. Each district in Devon carried out their own survey and the County will collate all the data for their own results.

We sent out the Place Survey questionnaire to 2,476 randomly selected households, whose addresses were provided by the Audit Commission. We received back 1,263 completed questionnaires, giving us a response rate of 51%, higher than in a lot of other district council areas. This gave us more than the amount required by the Audit Commission (1,100). The results are statistically reliable as the standard amount of responses to be received before the results become reliable is 400.

### **4. What stage are we currently at**

We now have the headline results for the Place Survey, and where appropriate these results have been compared to the results from previous years. However, this has not often been possible due to the change of the focus of the questionnaire from 'East Devon District Council' to 'East Devon as a place to live'.

### **5. What happens next**

#### **5.1 Further results reporting**

Parts of the results report will be considered by EDDC Scrutiny Committee on 8 April.

The outcomes of consideration of the survey results by both this Committee and the Scrutiny Committee will be presented to the Executive Board on 6 May.

#### **5.2 Benchmarking Information**

There will at some point be comparison (benchmarking) information available with all other district authority areas for all questions. This will make the results a lot more meaningful as we will then be able to say whether, for example, 40% of residents is a good or a poor result, in some cases 40% will be an excellent result. The Audit Commission had said it would publish each District's results for the questionnaire in March but it has postponed the publishing date indefinitely.

#### **5.3 Once benchmarking information is available**

The comparison information with other district authority areas within Devon, and national district authority area averages will be added into East Devon's results and presented to Councillors at appropriate Committees/ Boards. This will enable the results to be put into more context.



The specific 18 National Indicators contained within the Place Survey will be reported as part of the quarterly monitoring end of year report, including benchmarking information. After this time the results will be disseminated and publicised to staff, respondents, the public, partners and other stakeholders. The Council should take action on the results of the survey, which would need to be publicised.

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### **Legal Implications**

None required.

### **Financial Implications**

The recommendations in this report have no direct financial implications. Future reports on recommendations/actions flowing from the results of the survey may have financial implications.

### **Consultation on Reports to the Executive**

This report was considered by SMT on 24 March 2009

### **Background Papers**

Place Survey Questionnaire (attached)

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Jamie Buckley Ext 2769  
Engagement and Funding Officer

Corporate Overview  
26 March 2009



# East Devon Place Survey September 2008



## Helpful hints for completing this questionnaire:

- This questionnaire should be completed by any resident aged 18 or over living at this address.
- Please read each question carefully and tick a box to indicate your answer.
- In most cases you will only have to tick one box but please read the questions carefully as sometimes you will need to tick more than one box.
- Answer the next question unless asked otherwise.
- Some questions include an 'other' option. If you would like to include an answer other than one of those listed in the question, please tick the 'other' box and write your answer in the space provided.
- Once you have finished please take a minute to check that you have answered all the questions you should have answered.
- This questionnaire consists of 10 pages and should take no longer than 15 minutes to complete. Thank you in advance for your time.
- Once you have completed the questionnaire please return it in the pre-addressed envelope supplied. You do not need to add a stamp.



## Section 1: About your local area

Throughout the questionnaire we ask you to think about 'your local area'. When answering, please consider your local area to be the area within 15- 20 minutes walking distance from your home.

**Q1. Thinking generally, which FIVE of the things below would you say are most important in making somewhere a good place to live? PLEASE TICK UP TO FIVE BOXES ONLY IN THE LEFT HAND COLUMN BELOW**

**Q2. And thinking about this local area, which FIVE of the things below, if any, do you think most need improving? PLEASE TICK UP TO FIVE BOXES ONLY IN THE RIGHT HAND COLUMN BELOW**

	Q1. Most important in making somewhere a good place to live	Q2. Most needs improving in the local area
Access to nature	<input type="checkbox"/>	<input type="checkbox"/>
Activities for teenagers	<input type="checkbox"/>	<input type="checkbox"/>
Affordable decent housing	<input type="checkbox"/>	<input type="checkbox"/>
Clean streets	<input type="checkbox"/>	<input type="checkbox"/>
Community activities	<input type="checkbox"/>	<input type="checkbox"/>
Cultural facilities (e.g. libraries, museums)	<input type="checkbox"/>	<input type="checkbox"/>
Education provision	<input type="checkbox"/>	<input type="checkbox"/>
Facilities for young children	<input type="checkbox"/>	<input type="checkbox"/>
Health services	<input type="checkbox"/>	<input type="checkbox"/>
Job prospects	<input type="checkbox"/>	<input type="checkbox"/>
The level of crime	<input type="checkbox"/>	<input type="checkbox"/>
The level of pollution	<input type="checkbox"/>	<input type="checkbox"/>
The level of traffic congestion	<input type="checkbox"/>	<input type="checkbox"/>
Parks and open spaces	<input type="checkbox"/>	<input type="checkbox"/>
Public transport	<input type="checkbox"/>	<input type="checkbox"/>
Race relations	<input type="checkbox"/>	<input type="checkbox"/>
Road and pavement repairs	<input type="checkbox"/>	<input type="checkbox"/>
Shopping facilities	<input type="checkbox"/>	<input type="checkbox"/>
Sports and leisure facilities	<input type="checkbox"/>	<input type="checkbox"/>
Wage levels and local cost of living	<input type="checkbox"/>	<input type="checkbox"/>
Q1 Other (please tick and write in below)	<input type="checkbox"/>	
<input style="width: 100%;" type="text"/>		
Q2 Other (please tick and write in below)		<input type="checkbox"/>
<input style="width: 100%;" type="text"/>		
None of these	<input type="checkbox"/>	<input type="checkbox"/>
Don't know	<input type="checkbox"/>	<input type="checkbox"/>



**Q8 East Devon District Council and Devon County Council are also key providers of public services locally, so we would like your views on some of the services they provide. How satisfied or dissatisfied are you with each of the following services provided or supported by East Devon District Council and/ or Devon County Council?**

**PLEASE TICK ONE BOX ONLY FOR EACH SERVICE**

	<i>Very satisfied</i>	<i>Fairly satisfied</i>	<i>Neither satisfied nor dissatisfied</i>	<i>Fairly dissatisfied</i>	<i>Very dissatisfied</i>	<i>Don't know</i>
Keeping public land clear of litter and refuse.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Refuse collection.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Doorstep recycling.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Local tips/ household waste recycling centres....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Local transport information.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Local bus services.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sport/ leisure facilities.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Libraries.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Museums/ galleries.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theatres/ concert halls.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and open spaces.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q9 Please indicate how frequently you have used the following public services provided or supported by East Devon District Council and/ or Devon County Council.**

**PLEASE TICK ONE BOX FOR EACH SERVICE**

	<i>Almost every day</i>	<i>At least once a week</i>	<i>About once a month</i>	<i>Within the last 6 months</i>	<i>Within the last year</i>	<i>Longer ago</i>	<i>Never used</i>	<i>Does not apply/ don't know</i>
Local tips/ household waste recycling centres.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Local transport information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Local bus services.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sport/ leisure facilities.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Libraries.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Museums/ galleries.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theatres/ concert halls.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and open spaces.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**You live in a two-tier authority with a County Council and a District Council. County Councils are responsible for education, social care, transport planning, highways, consumer protection, waste disposal, small holdings and libraries. District Councils are responsible for local planning applications, housing, building regulations, environmental health, waste collection, revenue collection, leisure and recreation.**

**Q10 To what extent do you agree or disagree that East Devon District Council and Devon County Council provide value for money?**

PLEASE TICK ONE BOX ONLY FOR EACH COUNCIL

	<i>Strongly agree</i>	<i>Tend to agree</i>	<i>Neither agree nor disagree</i>	<i>Tend to disagree</i>	<i>Strongly disagree</i>	<i>Don't know</i>
East Devon District Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Devon County Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q11 And now taking everything into account, how satisfied or dissatisfied are you with the way East Devon District Council and Devon County Council run things?**

PLEASE TICK ONE BOX ONLY FOR EACH COUNCIL

	<i>Very satisfied</i>	<i>Fairly satisfied</i>	<i>Neither satisfied nor dissatisfied</i>	<i>Fairly dissatisfied</i>	<i>Very dissatisfied</i>	<i>Don't know</i>
East Devon District Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Devon County Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Section 3- Information

**Q12 How well informed do you feel about each of the following?**

PLEASE TICK ONE BOX ONLY FOR EACH STATEMENT

	<i>Very well informed</i>	<i>Fairly well informed</i>	<i>Not very well informed</i>	<i>Not well informed at all</i>	<i>Don't know</i>
How and where to register to vote..	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How your council tax is spent.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How you can get involved in local decision making.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
What standard of service you should expect from local public services.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How well local public services are performing.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How to complain about local public services.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
What to do in the event of a large scale emergency e.g. flooding, human pandemic flu.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall, how well informed do you feel about local public services.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Section 4- Local decision making

As with previous questions, when answering, please consider your local area to be the area within 15- 20 minutes walking distance from your home.

**Q13 Do you agree or disagree that you can influence decisions affecting your local area?**

PLEASE TICK ONE BOX ONLY

*Definitely agree*
 *Tend to agree*
 *Tend to disagree*
 *Definitely disagree*
 *Don't know*

**Q14 Generally speaking, would you like to be more involved in the decisions that affect your local area?**

PLEASE TICK ONE BOX ONLY

*Yes*
 *No*
 *Depends on the issue*
 *Don't know*

## Section 5- Helping out

We are interested to know about the unpaid help people give.

Please think about any group(s), club(s), or organisation(s) that you've been involved with during the last 12 months. That's anything you've taken part in, supported or that you've helped in any way, either on your own or with others. For example, helping at a youth or day centre, helping to run an event, campaigning or doing administrative work.

Please exclude giving money and anything that was a requirement of your job.

**Q15 Overall, about how often over the last 12 months have you given unpaid help to any group(s), club(s) or organisation(s)?**

Please only include work that is unpaid and not for your family

PLEASE TICK ONE BOX ONLY

- At least once a week.....
- Less than once a week but at least once a month.....
- Less often.....
- I give unpaid help as an individual only and not through group(s), club(s) or organisation(s).....
- I have not given any unpaid help at all over the last 12 months.....
- Don't know.....

## Section 6- Getting involved

Please think about any group(s) to which you belong, which makes decisions that affect your local area. Please exclude anything that was a requirement of your job.

**Q16 In the past 12 months have you....**

PLEASE TICK ONE BOX ONLY FOR EACH STATEMENT

	Yes	No
Been a local councillor (for the local authority, town or parish)	<input type="checkbox"/>	<input type="checkbox"/>
Been a member of a group making decisions on local health or education services	<input type="checkbox"/>	<input type="checkbox"/>
Been a member of a decision-making group set up to regenerate the local area	<input type="checkbox"/>	<input type="checkbox"/>
Been a member of a decision-making group set up to tackle local crime problems	<input type="checkbox"/>	<input type="checkbox"/>
Been a member of a tenants' group decision-making committee	<input type="checkbox"/>	<input type="checkbox"/>
Been a member of a group making decisions on local services for young people	<input type="checkbox"/>	<input type="checkbox"/>
Been a member of another group making decisions on services in the local community	<input type="checkbox"/>	<input type="checkbox"/>

## Section 7- Respect and consideration

**Q17 To what extent do you agree or disagree that in your local area, parents take enough responsibility for the behaviour of their children?**

PLEASE TICK ONE BOX ONLY

- Definitely agree*     
  *Tend to agree*     
  *Tend to disagree*     
  *Definitely disagree*     
  *Don't know*

**Q18 To what extent do you agree or disagree that your local area is a place where people from different backgrounds get on well together?**

PLEASE TICK ONE BOX ONLY

- Definitely agree*     
  *Tend to agree*     
  *Tend to disagree*     
  *Definitely disagree*     
  *Don't know*     
  *Too few people in local area*     
  *All the same background*

**Q19 In your local area, how much of a problem do you think there is with people not treating each other with respect and consideration?**

PLEASE TICK ONE BOX ONLY

- A very big problem*     
  *A fairly big problem*     
  *Not a very big problem*     
  *Not a problem at all*     
  *Don't know/ no opinion*

**Q20 In the last year would you say you have been treated with respect and consideration by your local public services.....**

PLEASE TICK ONE BOX ONLY

- All of the time*     
  *Most of the time*     
  *Some of the time*     
  *Rarely*     
  *Never*     
  *Don't know/ no opinion*

**Q21 In your opinion, are older people in your local area able to get the services and support they need to continue to live at home for as long as they want to? (This could include help or support from public, private or voluntary services or from family, friends and the wider community).**

PLEASE TICK ONE BOX ONLY

- Yes*     
  *No*     
  *Don't know*

## Section 8- Community safety

**Q22 How safe or unsafe do you feel when outside in your local area after dark?**

PLEASE TICK ONE BOX ONLY IN THE LEFT HAND COLUMN BELOW

**Q23 How safe or unsafe do you feel when outside in your local area during the day?**

PLEASE TICK ONE BOX ONLY IN THE RIGHT HAND COLUMN BELOW

- |                                      | Q22 After dark           | Q23 During the day       |
|--------------------------------------|--------------------------|--------------------------|
| <i>Very safe</i> .....               | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Fairly safe</i> .....             | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Neither safe nor unsafe</i> ..... | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Fairly unsafe</i> .....           | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Very unsafe</i> .....             | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Don't know</i> .....              | <input type="checkbox"/> | <input type="checkbox"/> |



**Q24 Thinking about this local area, how much of a problem do you think each of the following are.....  
PLEASE TICK ONE BOX ONLY FOR EACH STATEMENT**

	<i>A very big problem</i>	<i>A fairly big problem</i>	<i>Not a very big problem</i>	<i>Not a problem at all</i>	<i>No opinion</i>
Noisy neighbours or loud parties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teenagers hanging around the streets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rubbish or litter lying around	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vandalism, graffiti and other deliberate damage to property or vehicles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People using or dealing drugs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People being drunk or rowdy in public places	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abandoned or burnt out cars	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**It is the responsibility of the police and other local public services to work in partnership to deal with anti-social behaviour and crime in your local area.**

**Q25 So, how much would you agree or disagree that the police and other local public services seek people's views about these issues in your local area?**

PLEASE TICK ONE BOX ONLY IN THE LEFT HAND COLUMN BELOW

**Q26 And how much would you agree or disagree that the police and other local public services are successfully dealing with these issues in your local area?**

PLEASE TICK ONE BOX ONLY IN THE RIGHT HAND COLUMN BELOW

	<b>Q25 Seek people's views</b>	<b>Q26 Are successfully dealing with</b>
<i>Strongly agree</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tend to agree</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
<i>Neither agree nor disagree</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tend to disagree</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
<i>Strongly disagree</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
<i>Don't know</i> .....	<input type="checkbox"/>	<input type="checkbox"/>

## Section 9- Fire and Rescue Service

Devon and Somerset Fire and Rescue Authority is responsible for your local fire and rescue service.

**Q27 Taking everything into account, how satisfied or dissatisfied are you that Devon and Somerset Fire and Rescue Authority provides value for money?**

PLEASE TICK ONE BOX ONLY

- Very satisfied     
  Fairly satisfied     
  Neither satisfied nor dissatisfied     
  Fairly dissatisfied     
  Very dissatisfied     
  Don't know

**Q28** If you have used any of the services provided by Devon and Somerset Fire and Rescue Service within the last 18 months please indicate which services you have used

PLEASE TICK ALL THAT APPLY

- |  |   |
|--|---|
| <input type="checkbox"/> Emergency response- house fire              | <input type="checkbox"/> Youth education  |
| <input type="checkbox"/> Emergency response- road traffic collision  | <input type="checkbox"/> Fire safety audit in a business  |
| <input type="checkbox"/> Emergency response- flooding                | <input type="checkbox"/> Community event  |
| <input type="checkbox"/> Emergency response- co-responder            | <input type="checkbox"/> Other fire safety advice   |
| <input type="checkbox"/> Emergency response- other issue             | <input type="checkbox"/> Other service  |
| <input type="checkbox"/> Community use of fire stations              | <input type="checkbox"/> Have not used Devon and Somerset Fire and Rescue Service over the last 18 months |
| <input type="checkbox"/> Home fire safety visit/ smoke alarm testing |   |

**Q29** Do you have a smoke alarm in your home?

PLEASE TICK ONE BOX ONLY

- |   |  |
|---|--|
| <input type="checkbox"/> Yes, it gets checked regularly       | <input type="checkbox"/> I have a smoke alarm but it does not work |
| <input type="checkbox"/> Yes, but it is not checked regularly | <input type="checkbox"/> I do not have a smoke alarm               |

## Section 10- Have your say in the future

If you would like more opportunities to tell us what you think you can join the Speak Now Panel. 'Speak Now' is a group of East Devon residents who are regularly asked what they think about all sorts of issues. You will receive a maximum of 4 questionnaires a year, and also receive invites to discussion groups.

**Q30** Would you be interested in joining East Devon District Council's 'Speak Now' Panel

- |   |                             |
|---|-----------------------------|
| <input type="checkbox"/> Yes- thank you, we will send you a joining form to fill in | <input type="checkbox"/> No |
|---|-----------------------------|

## Section 11- About yourself

**Q31** Are you male or female?

- |                                 |
|---------------------------------|
| <input type="checkbox"/> Male   |
| <input type="checkbox"/> Female |

**Q32** What was your age on your last birthday?

PLEASE WRITE IN BOX BELOW

Years

**Q33** How is your health in general? Would you say it is....

PLEASE TICK ONE BOX ONLY

- |                                    |                               |                               |                              |                                   |
|------------------------------------|-------------------------------|-------------------------------|------------------------------|-----------------------------------|
| <input type="checkbox"/> Very good | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Bad | <input type="checkbox"/> Very bad |
|------------------------------------|-------------------------------|-------------------------------|------------------------------|-----------------------------------|

**Q34** In which of these ways does your household occupy your current accommodation?

PLEASE TICK ONE BOX ONLY

- |   |   |
|---|---|
| <input type="checkbox"/> Owned outright     | <input type="checkbox"/> Rent from Housing Association/ Trust   |
| <input type="checkbox"/> Buying on mortgage | <input type="checkbox"/> Rented from private landlord           |
| <input type="checkbox"/> Rent from council  | <input type="checkbox"/> Other (please tick and write in below) |

**Q35 How many children aged 17 or under are living here?**

PLEASE TICK ONE BOX ONLY

- |                               |  |
|-------------------------------|--|
| <input type="checkbox"/> None | <input type="checkbox"/> Three   |
| <input type="checkbox"/> One  | <input type="checkbox"/> Four  |
| <input type="checkbox"/> Two  | <input type="checkbox"/> More than four ( please<br>tick and write in below) |

**Q36 How many adults aged 18 or over are living here?**

PLEASE TICK ONE BOX ONLY

- |                               |  |
|-------------------------------|--|
| <input type="checkbox"/> None | <input type="checkbox"/> Three   |
| <input type="checkbox"/> One  | <input type="checkbox"/> Four  |
| <input type="checkbox"/> Two  | <input type="checkbox"/> More than four ( please<br>tick and write in below) |

**Q37 Which of these activities best describes what you are doing at present?**

PLEASE TICK ONE BOX ONLY

- |  |  |
|--|--|
| <input type="checkbox"/> Employee in full time job (30 hours plus per week)  | <input type="checkbox"/> Unemployed and available for work                     |
| <input type="checkbox"/> Employee in part-time job (under 30 hours per week)                                       | <input type="checkbox"/> Permanently sick/ disabled                            |
| <input type="checkbox"/> Self employed full or part-time   | <input type="checkbox"/> Wholly retired from work                              |
| <input type="checkbox"/> On a government supported training scheme (e.g. Modern Apprenticeship/ Training for Work) | <input type="checkbox"/> Looking after the home                                |
| <input type="checkbox"/> Full-time education at school, college or university                                      | <input type="checkbox"/> Doing something else (please tick and write in below) |

**Q38 Do you have a long-standing illness, disability or infirmity? (long-standing means anything that has troubled you over a period of time or that is likely to affect you over a period of time)**

PLEASE TICK ONE BOX ONLY

- Yes- please continue to Q39  
 No- please go to Q40

**Q39 Does this illness or disability limit your activities in any way?**

PLEASE TICK ONE BOX ONLY

- Yes  
 No

**Q40 To which of these groups do you consider you belong?**

**White**

*British* .....

*Irish* .....

*Any other White background (please tick and write in below)* .....

**Black or Black British**

*Caribbean* .....

*African* .....

*Any other Black background (please tick and write in below)* .....

**Mixed**

*White and Black Caribbean* .....

*White and Black African* .....

*White and Asian* .....

*Any other Mixed background (Please tick and write in below)* .....

**Asian or Asian British**

*Indian* .....

*Pakistani* .....

*Bangladeshi* .....

*Any other Asian background (please tick and write in below)* .....

**Chinese and Other ethnic groups**

*Chinese* .....

*Other ethnic group (please tick and write in below)* .....

**Q41 Is there anything else you would like to add?**

**Thank you very much for taking part in this survey**

